FAYETTEVILLE OBSERVER.

[VOL. XXIV.] FAYETTEVILLE, N. C., WEDNESDAY MORNING, DECEMBER 16, 1840. [NO. 1228.]

PRINTED AND PUBLISHED, WEEKLY,
BY EDWARD J. HALE.
At $2 50 per annum, if paid in advance; $3 if paid during the year of subscription; or $3 50 at the end of the year.

ADVERTISEMENTS inserted for sixty cents per square for the first, and thirty cents for each succeeding publication. Advertisers are requested to note the number of insertions desired, or they will be continued till forbid, and charged accordingly.

☞ *Letters to the Editor must be post paid.*☜

DAVID SHAW,
Confectioner and Grocer,

HAS just received a Fresh and General Supply of the following articles, which he offers low for Cash, viz:—

Sugar-shell Almonds, Brazil Nuts and Filberts, New crop Bunch Raisins, Paper Crackers, Carlson's Water ditto, Loaf Sugar and Teas, assorted, Coffee and Brown Sugar, Mace and Ground Ginger, Mace and Cloves, Candied and Citron, Cassia and Nutmegs, Currants & Sultzitz Powders, Alum and Saltpetre, Pepper and Allspice, Superior Spanish Cigars, Common ditto, Maccaboy & Scotch Snuff, Hair Powder & Camphor, Windsor, Rose and Bar Soap, Rose and Cologne Water, Oil of Lemon, Ditto of Peppermint, Ditto of Cinnamon, Essence of Peppermint, British and Bear's Oil, Macassar Oil, &c.

With a general assortment of TOYS, COMFITALS, CANDIES, WINES, &c.

Fayetteville, Dec. 1, 1840. 27-3w

Received per Steam Boat Henrietta.

300 LBS. PRIME INDIGO,
10 casks Cheese,
20 barrels Tanners' Oil,
75 kegs Nails,
100 bags Rio Coffee,
10 hhds. Sugar,
20 tons Iron. For sale by
THOS. J. LUTTERLOH.
December 8, 1840. 27-3w

NOTICE.

THE Subscriber will sell at Public Auction, at his own house, on Tuesday the 22d instant, all of Household and Kitchen Furniture, Cattle, Horses, Hogs and Sheep, Farming Utensils, Corn, Fodder, &c. Terms made known on the day of sale.

DUGALD BAKER.
Cumberland County, Dec. 7. 27-3w

FISHERMEN!

CALL on BROWN & CO. and see their Cotton SEINE TWINE.
June 8, 1840. 27-3w

STOVES AND STOVE PIPE.

THE Subscriber has on hand, and offers for sale, the largest assortment of

STOVES

ever before offered in the State, consisting of Box, Six, Seven and Nine Plate Stoves; Boiling, and Cooking Stoves, of the most approved Parlor, Church Stoves, suitable for Churches, and School Houses, Manufactories, &c., assorted from 18 to 36 inches in length.

—ALSO—

PIPE and Fireplace FRANKLINS, with an assortment of STOVE PIPE and ELBOWS, together with a large and very general assortment of JAPANNED and PLAIN TIN WARE, at wholesale and retail, all of which he will sell on the most reasonable terms.

He still continues to manufacture every article in the Copper, Tin, and Sheet Iron Ware line, at a short notice.

JAMES MARTINE.
Fayetteville, Nov. 27, 1840. 27-3m.

FOR SALE.

PRIME LAGUIRA COFFEE, in small bags for Family use,
Fresh Imperial Tea, in Canisters,
A few gallons old Port Wine,
Window Glass, 8 x 10 and 10 x 12.
J. RUSKE & SON.
December 8, 1840. 27tf

THE SUBSCRIBER

HAS just received and offers for sale on the most favorable terms, Bolt and Sheet Copper; Copper Rivets and Rivets; Tin Plate; Nail and extra Iron Wire, assorted from No. 1 to 24; Binding Wire; Wire; Sheet Brass; Sheet Zinc; Spelter Solder; Solder; Sheet, Pig and Bar Lead; Lead Pipe, assorted sizes; American, Russia and English Bar Iron; Sheet Steel, suitable for Cotton Gin manufacturers; Naylor's best Cast Steel, assorted; Band Iron, from 1 to 4 inches wide; Hoop Iron, assorted widths; Round and Square Iron; Horse Shoe Nails; Horse Nail and Spike Rods; best Philadelphia Mill Saws; Spades, Shovel and Manure Forks; Hunt's Cast Steel Axes; Broad Axes and Adzes; Spear's, Greaves' and Reuben's flat bastard Mill Saw Files; 2d Cut and smooth Files; Horse Rasps; Wood and Cabinet Rasps; round, half round, Pit and Saw Files; Scale Beams and Patent Balances, to weigh from 250 to 1500 lbs.; Nests Weights, from 4 lbs. 7, 14 and 28 lb. Iron Ring Weights; Coffee and Corn Mills; Tailor's and Sad. Irons; Clark's Butt and Brass Hinges; Hook and Hinges; Brass and Table Hinges; H. L. T. and Hinges; James's superior Wood Screws, assorted from ⅜ to 3 inches long; Cut and Wrought Nails, Spikes, and Finishing Nails and Brads; Carpenters' patent Door Locks; Mortice, Rim and Plate Locks; Closet, Cupboard, Chest, Desk and Till Locks; Stanley's improved Plate Locks; Latches and Fastenings; Patent Window Shutter Fastenings; Door Springs; Hooks and Staples; Bolts, flat round and square, 3 to 14 inches; Cut Tacks and Brads; Hand and Cast Steel Hand Saws; key hole and Pad Saws; Cast Steel Billet or Web Saws, for Mill Sticks; Gig and Barouche Springs; Patent Lamps; Plated and Brass Bands and Dash Irons; Patent Leather; Copal Coach body Varnish; Coach Furniture; Malable Castings and Bolts; Patent Malleable Skeins and Boxes; Carpenters' and Millwrights' Chisels and Augers; Braces and Bits; Sets of Auger Bits; with a general assortment of Carpenters' Tools.

—ALSO—

House Furnishing articles, consisting in part of—Brass Andirons; Shovels and Tongs; Wire Fenders; Hall Lamps and Shades; Reading and Japp'd Tin; Copper Bronzed and Planished Tin Coffee Urns, Biggins, and Egg Boilers, Copper composition Sauce Iron and Tin Tea Kettles and Sauce Pans; Jelly and Pudding Moulds; Pastry and Tart Cutters; Waiters; Dinner and Dessert Knives and Forks; Fancy and Plain Bellows; Dust and Crumb Brushes; Hearth Brushes; Balance Bails and Pullies for Lamps; Mincing and Cook's Knives; Brass Chamber and Table Candlesticks; Iron and Copper Chamber Sticks; together with a general assortment of House Keeping articles, with every article in the Japanned and Plain Tin Ware line, which he will sell on the most favorable terms.

JAMES MARTINE.
December 7, 1840. 27-3m

NORTH BEND ACADEMY.

THIS Institution, located near Randalsville Post Office, in Robeson county, on the road leading from Fayetteville to the Red Bluff, S. C., is now under charge of Mr. John H. McDonald, an experienced Teacher, who will give his undivided attention to the duties of his station. The branches taught are, Reading, Writing, Arithmetic, Book Keeping, Geography, Latin and Greek. School will commence on the 1st Monday in January next. Terms as usual. 15 Boarders can be accommodated at $6 per month, by respectable families in the neighborhood.

PATRICK McEACHIN, *Sec'y.*
Robeson County, Dec. 3, 1840. 27tf

FOR SALE.

WILL be sold at Public Auction, in the Town of Wilmington, N. C., on the 1st day of January next,

14 STAGE COACHES
And HARNESS.

Most of the Coaches are in first rate order. Terms liberal.

ALEX'R MACRAE.
Gen'l Ag't W. & R. R. R. Co.
December 2, 1840. 27tf

SPERM, LAMP, AND TANNERS' OIL.

200 GALLONS Best Fall Strained Sperm Lamp Oil, just received, suitable for the use of Cotton Manufactories, being pure and unadulterated, direct from the Manufacturer;—and having made arrangements, expects, as soon as the season will permit of its being made, to receive a supply of Winter Strained Lamp Oil, and shall keep a constant supply of the above on hand, at wholesale and retail.

—ALSO—

12 BARRELS TANNERS' OIL, just received and for sale on favorable terms. Apply to

JAMES MARTINE.
Hay Street.
Fayetteville, Nov. 26, 1840. 82-2m.

$25 REWARD.

RANAWAY, from Archibald McCollum, of Cumberland county, about the 9th of January last, a negro man named JACOB, about 30 years of age, 5 feet 8 or 9 inches high, rather stout built, not very black complection. No marks recollected. Having purchased him from Mr. McCollum, I will give the above reward for his apprehension and delivery to me, or confinement in any jail so that I get him.—He region was raised about 10 miles above Averasborough, on the river, and has been seen there during the last Summer.

ALEXANDER KELLY.
Carthage, Moore County, Dec. 8, 1840. 27-3tp

$20 REWARD.

I WILL give a reward of $20 for the apprehension and delivery of my negro man Dave, or for his confinement in any jail so that I get him again. Dave absconded from my plantation, in the upper end of Richmond county, on the 22d inst. His complexion is black, wears a bushy head of hair, is about 20 years old, five feet 10 or 11 inches high, and very bow legged. I think he took with him a pretty good suit of Sunday clothes besides. It is suspected that he will try to go off as far as he can. All persons are hereby cautioned by the penalty of the law against harbouring or concealing said negro.

DANIEL McRAE.
November 30, 1840. 26-6w

Just received from New York,

FRESH CLOVER SEED. For sale by
B. ROSE.
November 25, 1840. 26-3w

VALUABLE NEGROES.

THE Subscriber offers for sale, all those Negroes which belonged to the Estate of the late Peter J. Mallett, and to the late concern of C. & P. Mallett.

C. P. MALLETT.
Dec. 1, 1840. 26-tf.

WANTED TO PURCHASE,

AN able-bodied NEGRO MAN, from 20 to 25 years of age, for whom a liberal price will be paid. Apply to

MURDOCH McKINNON.
Fayetteville, December 1, 1840. 26tf

Notice is hereby given.

THAT a petition will be presented to the Legislature, now in session, for a Charter for a Rail Road or Canal from or near Lumberton, on Lumber River, to some point on the Cape Fear.

November 27, 1840. 26

Notice is hereby given,

THAT Wright Thornton, Ambrose Ingram and wife Sarah Jane, are not inhabitants of this State, the Subscriber has qualified as Administrator on the Estate of Benjamin Thornton, deceased, and hereby notifies all those indebted to said Estate to make immediate payment, and all persons having claims against the same are requested to present them within the time prescribed by law, or this notice will be plead in bar of a recovery.

WHITFIELD THORNTON, *Adm'r.*
Sampson County, Nov. 24, 1840. 26-3m

CAPE FEAR PLANTATION
FOR SALE ON CREDIT.

THE Subscriber will offer for sale, on Monday the 28th December next, to the highest bidder, on a credit of one, two and three years, (the purchaser giving bond and approved security,) the

PLANTATION

On which he lives, lying immediately on the Cape Fear River, and on the Wilmington and Fayetteville Stage Road, 5 miles above Elizabeth Town.

There is a good body of excellent River LOW GROUNDS attached to the place, the most of which are cleared and in a state for cultivation. The balance of the plantation embraces a large body of the first quality of UPLANDS, (as good as any in the country,) about 150 acres of which have been cleared; the most of it fresh, having been cleared only a few years, and well adapted to all kinds of crops raised in our country. The uncleared Land is well timbered with Oak and some Pine, (enough timber on it to pay for it.) There is also a most excellent MILL SEAT on the place.

Those wishing to purchase an eligible and healthy situation, in a pleasant and agreeable neighborhood, are requested to call and examine it. A great bargain may be expected, as it will positively be sold on that day.

At the same time and place, and if necessary the two following days, I will sell on a credit of six months, all of my CROP of every description; my STOCK of every kind. PLANTATION TOOLS and FARMING UTENSILS of every kind, Household and Kitchen FURNITURE, &c. &c.

H. RICHARDSON.
Bladen County, Nov. 25, 1840. 26ts

At my Auction Store,

OPPOSITE the Lafayette Hotel, will be found for sale the following GOODS:—

2000 bushels Turk's Island SALT,
1500 sacks Liverpool ditto,
150 bags Coffee,
20 hhds. St. Croix and New Orleans Sugar,
15 bbls. Loaf Sugar,
2 bbls. Havana white ditto,
100 kegs Nails,
15 tons Swedes Iron,
15 crates assorted Crockery,
20 cases Shoes,
25 ditto Hats,
175 reams Wrapping Paper,
50 ditto Letter and Cap ditto,
100 bags Shot,
2000 lbs. Lead,
10 casks London Porter,
3½ pipes French Brandy,
20 casks Port, Lisbon, and other Wines,
10 bags Pepper and Pimento,
20 M Spanish Cigars,
50 Demijohns,
50 boxes Brown Soap,
50 boxes assorted Candy,

Salmon, Mackerel, Table Salt, Soda Biscuit, Olive Oil, Pickles, Blacking, Snuff, Champaign Wine, Salts, Alum, Cheese, Nutmegs, Mace, Indigo, Madder, Almonds, Raisins, Prunes, Brandy Fruits, with a variety of other Groceries. Also, a well selected assortment of DRY GOODS.

SAM'L W. TILLINGHAST.
November 2, 1840. 22tf

FOR SALE.

A TEAM OF MULES.
Apply to
C. P. MALLETT.
October 6, 1840. 18-tf.

LAND! LAND! LAND!

NOW offer for sale a very valuable farm on the Eastern side of Cape Fear River in the county of Bladen, about 16 miles below the Town of Fayetteville, and immediately on the River. There are 760 acres of land (river survey) and 12 acres of back land joining the same. About 250 acres were in cultivation the present year, and there are sundry buildings for the convenience of the farm. Persons are requested to examine the same before the crop is housed, as they can then judge properly of its production. It is unnecessary to say it is a healthy farm, as all will be satisfied of that fact when they see it. Terms will be made to suit the convenience of the purchaser.

JOHN T. GILMORE.
Fayetteville, Nov. 4, 1840. 22-tf

NOTICE.

THE Subscriber would inform the public, that he intends carrying on the business of GUNSMITHING, on the North side of Hay Street, next door to George McNeill's, where he intends Stocking RIFLES, SHOT GUNS and PISTOLS, besides Repairing LOCKS; and all other business in the line will be done in the neatest order.

Also, constantly on hand, a large stock of Shot Guns, Rifles, Pistols, &c., all of which will be sold at low prices for Cash.

JOHN HARPER.
Hay Street.
November 3, 1840. 22-3m.

NOTICE.

WILL be sold, on Thursday, 17th Dec. 1840, at the late residence of Col. Charles McAlister, dec'd, in Bladen county, six likely Mules, Cattle, Hogs, a good Wagon, and sundry other articles.

Bond with approved security will be required.

JONATHAN EVANS, *Ex'r*
Nov. 27, 1840. *of Charles McAlister, dec'd.*

THE FIRST SESSION of the Rockingham Female Institution, for 1841, will commence on the second Monday in January. In June an annual examination will take place.

A limited number of Pupils only, will be received, and a select number of Young Ladies may be accommodated with board in the family of the Principal.

Prices of board and tuition have been reduced, to suit the exigencies of the times.

Every branch of English Literature will be taught; also, Music on Piano and Guitar, Embroidery and Rug Work of every variety, and Wax Work.

November 9, 1840. 23-12dmj.

BULWER'S GODOLPHIN, &c.

JUST RECEIVED. Also, Henry De Cerons, James's last Novel, De Tocqueville's Democracy in America, part 2d, Rambles in the Footsteps of Don Quixote, Love's Progress, by Mrs. Gilman, Georgia Scenes, new Edition, with plates, &c.

E. J. HALE.

LOOK HERE!

THE SUBSCRIBER will keep constantly on hand a large supply of the following articles, viz:—

Thomastown Lime and Calcined Plaster Paris for Plastering,
Roman Cement and Water Lime for building Cisterns water tight,
Nova Scotia rotten Plaster Paris for manuring Land,
Brick, Laths, Hair, and Nails for Lathing,
All of which can be bought low by calling on me 3 doors South of the Market House, Fayetteville.

JOHN E. PATTERSON.

N. B. I am prepared with faithful workmen to do any job of work in my line as a Bricklayer and Plasterer, and plain or ornamental Cornicing. I have been following the above business for more than twenty-three years, and feel satisfied that I can give full satisfaction to any who may favour me with a call, and my charges will be moderate, as I will expect the money for my services in all cases, for the old proverb says money makes the mare go, and the want of it will stop her.

J. E. P.
November 2, 1840. 22tf

For Sale,
PEA NUT SILK WORM EGGS,

PRICE 25 cents a thousand. Purchasers at a distance can have them sent by mail. Apply at this Office.

Fayetteville, Sept. 12, 1840. 15tf

☞ The Pea Nut Silk Worms are among the most valuable varieties. They consume less food than the common kinds. Their cocoons are remarkably firm and contain an unusual quantity of silk. The eggs advertised above are from a lot of eggs imported this season, that cost one dollar a thousand.

NEW AGENCY.

THE Subscriber has taken an office one door North of the Store of Hall, McRae & Co., and is now prepared to attend to the sale of LUMBER and TIMBER, or any thing in the way of a general AGENCY BUSINESS. He has two large and convenient wharves, with four spacious docks, for the safe-keeping of Timber, Staves, &c. With these facilities, and a determination to use every exertion to promote the interest of those who may favour him with business, he hopes to receive a portion of the public patronage.

JOHN HALL.
Wilmington, N. C., Oct. 28, 1840. 21-tf

Refer to A. Lazarus, Hall, McRae & Co., Wilmington, and R. McRae, Fayetteville.

OBSERVER.

FAYETTEVILLE:

WEDNESDAY, DECEMBER 16, 1840.

THE RAIL ROADS.—Since our last, we have seen in the Register, the Annual Report of the President of the Wilmington Rail Road; and have had access to the detailed account of the General Agent, of the Receipts and Expenses of the Company, for the six months ending 1st Nov. last, and the earnest appeal of the President, Directors and Stockholders, to the Legislature, for a loan of $300,000. The necessity of keeping our columns open for the President's Message precludes the publication of these documents, either in detail or summarily. The conclusions to which our mind has been brought, however, from a careful examination of the accounts of the Wilmington Company, are, that without the aid of the State, their condition is almost desperate; but, with that aid, that the receipts will enable it to pay the interest, a reasonable dividend, and extinguish the debt within a few, say ten, years.

The amount of debt for which provision must *now* be made, is $313,528. Other debts, to the amount of $307,666 67, fall due chiefly in 1858.

The actual receipts, for travel and freight, for six months, amount to $152,424 84. From which deduct expenses, $95,064 23, leaves a net revenue on the operations of the half year of $57,360 61;—equal to about 3 per cent., (or 6 per cent. per annum,) on the entire cost of the road and property; or in other words, equal to 6 per cent. per annum on both the Capital Stock and debts of the Company.

If this be the result of a half year's operations at such a period of pecuniary distress as we have just witnessed, when it is admitted on all hands that the number of travellers is less than it had been for several years, what may not the company reasonably expect from a return of the usual prosperity, when business and pleasure will probably double the travel, without materially increasing the expenses!

If it can be proven, as we think it is clearly proven, that the road, unembarrassed by debt, can do a profitable business, will it not be a reflection on the wisdom of the Legislature, to suffer it to be ruined for want of the aid of the State! It is a noble enterprize, in which individuals, our own fellow citizens, are interested to the amount of a million of dollars, and the State itself is a Stockholder to the further amount of $600,000. Shall these interests be treated with coldness and indifference, nay, totally sacrificed, for want of $300,000 more, which the State *can* raise, and the Company cannot raise without the State!

We have no interest in the road, except as a citizen of North Carolina. A very large majority of our readers live more remotely from it than we do; and some of them may not thank us for the declaration; but candor requires that we should make it,—that we think it will be a blot upon the character of the State, for wisdom, enlightened liberality, nay even for justice,—justice to herself and her people,—if this road shall be suffered to languish for want of such aid as the State can give.

We have not room nor time to enter into an examination of the Memorial of the Raleigh and Gaston Company; whose prospects are not so good as to profits as the Wilmington Road, but which, nevertheless, we think also entitled to the fostering care of the State, if its extension can be made effectual to the relief of the concern.

FRAUDS! FRAUDS!—When the Standard gets through with its accounts of pretended Whig frauds in Ohio, perhaps some of its readers, (especially those who had faith enough to *bet* on the Standard's statements,) would be glad to see a more particular account of that fraud perpetrated by the issue of its celebrated lying Extra on the second day before the late election.

GREAT SNOW STORM.—On Friday, Saturday and Sunday, of the week before last, a great Snow Storm occurred in all the States from Virginia North. In Virginia, the snow and ice so accumulated as to break down large trees. In Washington City, the snow was 18 inches deep on a level. Travelling was interrupted, and the mails stopped for several days.

NARROW ESCAPE.—The Hon. W. Thompson of S. C., narrowly escaped with his life a few days ago. He was on his way to Washington, when, near Petersburg, the cars were impeded by the snow and ice. The passengers got out, to walk ahead. Mr. T., with his cloak drawn around his ears, did not hear the cars when they came on, and the baggage car being in front, the Engineer did not see him. The car struck him, knocked him down, and the whole train passed over him; but, as he fell between the rails, he was not materially hurt.

The Engine between Richmond and Petersburg was thrown off the track by the snow and ice.

SOUTHERN LITERARY MESSENGER.—We have received the December Number, being the closing Number of the 6th volume, of this justly popular periodical; which has gone on increasing in interest and value, as it has advanced in age. We will take pleasure in forwarding the subscriptions of such persons as may desire to commence with the new volume.

SIGNS.—From the alarm of the Charleston Mercury, we infer that the ascendancy of Van Burenism and Calhounism in South Carolina is in considerable danger, to say the least. Col. Hammond, Col. Richardson, and Dr. Hannegan are candidates for Governor. The Mercury says, "We have little doubt that Col. H. will obtain every Whig vote in the House, and that *many* of his partisans are only *Whigs in disguise*. Let our Democratic friends watch the enemy, nor suffer our ranks to be broken at this crisis, which we assure them is *more dangerous than they seem to suppose*. Efforts are making to build up a Whig party *here* and every where in the State. Circumstances have encouraged them. A good many nominal Democrats have *already abated in their political zeal*, and risked the harmony of the party for personal objects."

Legislature of N. Carolina.

FROM THE RALEIGH REGISTER.

THURSDAY, December 3.

SENATE.

The bill appropriating one thousand dollars a year, for five years, to purchase a library for the State was taken up, rejected, reconsidered, on motion of Mr. Wilson; on motion of Mr. Spruill, amended and passed 39 to 8.

Mr. Hill introduced the Memorial of the President and Directors of the Wilmington and Raleigh Rail Road Company, praying the Legislature to grant them a loan. Referred.

The bill to prevent betting on elections, passed its third reading, 30 to 16, and was ordered to be engrossed.

Mr. Shepard introduced a Memorial from citizens of Perquimons, praying for Legislative restrictions on the practice of retailing Spirituous Liquors. Referred.

On motion of Mr. Gaither, the Committee on the Judiciary were instructed to inquire into the expediency of so amending the law, that each Justice of the Peace shall be provided with a copy of the first volume of the Revised Statutes.

HOUSE OF COMMONS.

Mr. J. T. Miller presented a memorial from the Wilmington and Raleigh Rail Road Company, praying the aid of the State; which was read and referred to the Committee on Internal Improvements.

On motion of Mr. Biggs, the following Resolution was adopted:

Resolved, That the Public Treasurer be directed to report to this House the whole amount of stock held by the State in incorporated Companies; specifying the amount in each Company, and the fund to which it belongs, with the net value of the same, as nearly as it can be ascertained; also, the several sums due the State, the Cherokee Bonds to be included in one item, specifying the Fund to which they belong, and whether the collection of any part of them be in his opinion doubtful.

Mr. Moore presented a bill to expedite legal process.

On motion of Mr. H. C. Jones, a proposition was sent to the Senate to unite the Standing Committees on Education of each House and form them into a Joint Select Committee.

Mr. F. Taylor introduced a Bill concerning the collection of debts by the Banks in this State, which was read the first time and passed.

Mr. Fleming introduced a Petition from many citizens of the County of Yancey, praying Legislative action on their remote situation from Market towns, which was referred to the Committee on Internal Improvement.

Mr. Bryan introduced a Bill in favour of Poor Debtors, and

Mr. J. Walker, a Bill to prevent the selling of unmatured crops.

These Bills were read the first time, and referred to the Committee on the Judiciary.

The Bill to provide for the more convenient administration of Justice in the County of Wayne, and

The Bill to provide for the more convenient administration of Justice in the County of Burke, were read the second and third times and passed.

Mr. J. T. Miller presented a Memorial from sundry citizens of the Town of Wilmington, on the subject of the Inspection Laws, which was referred to the Committee on Propositions and Grievances.

On motion of Mr. Barringer,

Resolved, That a Message be sent to the Senate proposing to raise a Joint select Committee of five on the part of each House, to inquire into the necessity of holding an extra session of the General Assembly, to legislate on the apportionment of Representation in the General Assembly under the amended Constitution of this State.

FRIDAY, December 4.

SENATE.

Mr. Morehead, from the Committee on the Judiciary, to whom was referred the bill concerning fines and costs, reported the bill with an amendment, which was read and laid upon the table.

The two Houses voted for Colonel Commandant of Cavalry attached to the 16th brigade of Militia; which resulted in the election of Horace L. Robards, of Granville.

Mr. Bynum presented a Resolution, instructing the Committee on the Judiciary to inquire into the expediency of amending the law relating to witnesses in State cases, so as to provide that in all indictments for misdemeanors the prosecutor shall not be entitled to compensation for his attendance as witness; which was adopted.

Mr. Morehead, from the Judiciary Committee, to whom was referred the memorial of Thos. H. Blount, reported a bill to secure title to, and grant jurisdiction over a tract of land on Boyd's Island, to the United States; which passed its first reading.

The bill to incorporate the Concord Manufacturing Company was read the third time, passed, and ordered to be engrossed.

Mr. Morehead, from the Committee on Judiciary, to whom was referred the Resolution respecting the sale of land held by tenants in common, reported a bill to provide for the distribution of the proceeds of land sold for partition in certain cases, which was read first time and passed.

Mr. Bynum presented the memorial of the Raleigh and Gaston Rail Road Company, asking such relief as may be deemed sufficient and consistent with the interests of the State. Referred.

The bill to purchase a Library, was read the third time, and on motion of Mr. Albright, amended, passed, and ordered to be enrolled.

Mr. Shepard presented a communication from the Hon. William Gaston, stating that a gentleman proposes to repair the statue of Washington, to receive pay when the work is done, and will make no charge unless he succeeds in its accomplishment. Sent to the other House with a proposition to refer.

Received from the House of Commons a message, stating that Messrs. Mendenhall and Reid form their branch of the Committee to superintend the making a list of votes given for Governor; and that the Commons are now ready to receive the Senate into their Hall for that purpose; which was read and adopted. The Senate then repaired to the House of Commons. Mr. Spruill, the Teller in behalf of the two Houses, reported; when Colonel Joyner, the Speaker of the Senate, made the following announcement:

Gentlemen of the Senate and of the House of Commons:

The returns of votes given at the late election for Governor of this State, have been opened and published according to law, in the presence of a majority of members of both Houses of the General Assembly. The Tellers, appointed by the two Houses to examine the returns and to make a list of the votes, have reported that forty-four thousand, four hundred and eighty-four votes were given for John M. Morehead, of the County of Guilford, being the highest number given for any person; and that thirty-five thousand, nine hundred and three votes were given for Romulus M. Saunders; and that 525 votes were given in the county of Currituck for R. M. Saunderson. No objection having been made to the said report, I declare that John M. Morehead is duly elected Governor of the State of North Carolina for two years from the first of January next.

The members of the Senate thereupon returned to their Chamber, and after transacting some minor business, adjourned.

HOUSE OF COMMONS.

On motion of Mr. J. O'K. Williams, the Committee on Education and the Literary Fund was instructed to inquire into the expediency of amending the Common School law, passed at the last Session; also the expediency of making a further appropriation, and report by bill or otherwise.

Received from His Excellency, the Governor, a Message transmitting a report from Geo. E. Badger, on certain suits lately pending in the Circuit and Supreme Courts of the United States, in which the State of North Carolina is interested. Said Message and Report were sent to the Senate, with a proposition to refer them to a Joint Select Committee of four on the part of each House.

On motion of Mr. Whitehurst, so much of the Governor's Message as relates to a Rail Road from Raleigh to Waynesborough, was referred to the committee on Internal Improvement.

On motion of Mr. Caldwell,

Resolved, That the Committee on Public Buildings and rebuilding the Capitol, be instructed to report to this House, all the fixtures and articles of furniture purchased on behalf of the State for furnishing the Capitol, specifying each article and the cost of the same.

Mr. Mendenhall presented a Memorial from the Raleigh and Gaston Rail Road Company, praying the aid of the Legislature, which was read and referred to the Committee on Internal Improvements.

On motion of Mr. Patterson, the Judiciary Committee was instructed to enquire into the expediency of altering and amending the Law respecting vagrants.

Mr. Hoke presented a Bill declaring and explaining the law on the subject of Gifts & Settlements, which was read the first time, passed and referred to the Committee on the Judiciary.

SATURDAY, December 5.

SENATE.

Mr. Spruill presented the following Resolution, which was read and adopted:

Resolved, That a message be sent to the House of Commons, proposing that a Committee of one on the part of the Senate, and two on the part of the House of Commons, be appointed to wait on John M. Morehead, and inform him of his election as Governor of North Carolina, for two years from the first of January next, and to ascertain from him, when it will suit his convenience to appear before the two Houses of this General Assembly, and take the oaths of office.

Mr. Wilson presented Resolutions requesting the Governor to lay before the General Assembly a statement of the whole amount of property received by the University of North Carolina, &c. &c., and instructing the Judiciary Committee to inquire into the expediency of repealing the second section of the act giving to the University the property which may hereafter escheat to the State. Read and adopted.

Mr. Wilson presented a bill concerning the Banks established, and those which may hereafter be established in this State; which passed its first reading, and was referred.

The bill to compel Militia Officers to hold their commissions three years, passed its third reading, and was ordered to be engrossed.

The proposition of the Commons, to appoint a Joint Select Committee of five on the part of each House, to inquire into the necessity of holding an extra session of the Legislature, to legislate on the subject of the apportionment of representation in the General Assembly under the amended Constitution, was read and agreed to.

Mr. Spruill presented a Resolution directing the Public Treasurer to lay before this Legislature certain information concerning the sale, &c. of Revised Statutes; which was adopted.

Mr. Whitaker presented a Resolution instructing the Judiciary Committee to enquire into the expediency of so amending the law relative to the appointment of Coroners, as to raise their fees, when called on to hold an inquest over a dead body; which was read and adopted.

HOUSE OF COMMONS.

Mr. Siler presented a Bill giving to the County Court of Cherokee, jurisdiction over the State Road in said County.

Mr. Winston, from the Committee on the Judiciary, reported a Bill providing for restoring to the rights of citizenship persons convicted of infamous crimes. These Bills were read the first time and passed.

On motion of Mr. Fleming,

Resolved, That the Committee on Education be instructed to enquire into the expediency of dividing the annual income of the Literary Fund, among the several Counties in this State, in proportion to their Federal population.

On motion of Mr. Graves, the Committee on the Judiciary was instructed to enquire whether or not the laws on Usury in this State need amendment.

Mr. Young presented a Petition from sundry Citizens of the Counties of Iredell, Mecklenburg and Lincoln, together with a Bill to carry their prayer into effect, entitled a Bill to lay off and establish a County by the name of Graham. Said Bill was read the first time and passed, and on motion of Mr. Young, referred to the Committee on Propositions and Grievances.

The Bill authorising the Governor to appoint an Agent in the County of Macon or Cherokee, was read the second time, amended and passed.

The Bill to repeal the Act concerning the Processioning of Lands,—the Bill to lay off and establish a County by the name of Yancy,—and the Bill to prevent the cutting of timber into the Rivers of Cherokee County, were each read the second time and passed.

Received from the Senate the Engrossed Bill to purchase a Library, which was read the first time and passed.

Also, a proposition to refer to a Joint Select Committee of three, on the part of each House, a Letter from the Hon. William Gaston, on the subject of repairing the Statue of Washington. Concurred in.

The Bill authorising the several County Courts to provide for compensation to the Wardens of the Poor, was read the second time and passed.

The Bill to lay off and establish a County by the name of Stanly, was read the third time and passed. Yeas 62—Nays 46.

The Bill to lay off and establish a County by the name of Cleveland, was read the third time and passed. Yeas 55—Nays 51.

The Bill to lay off and establish a county by the name of Caldwell, was read the second time and rejected. Yeas 42—Nays 67.

FROM THE CINCINNATI GAZETTE.

A Poser.—The New York Evening Post says that "Mr. Van Buren came into power at a period of great embarrassment and distress." Whereupon the Louisville Journal asks, "what, then, are we to think of the remark in General Jackson's Farewell Address, '*I leave this great People prosperous and happy!*'"

The Washington correspondent of the N. Y. Journal of Commerce writes—

The Bank of the United States is now paying off its bonds due to the government, and paying them in specie too. This is a fortunate supply for the Treasury, which, according to all accounts, was getting quite low.

An Atrocious Villain.—On Wednesday night last, the downward train on the Wilmington & Raleigh Rail Road, when within about ten miles of Town, and going at a rapid rate, came in contact with a heavy piece of timber—an old sill—placed by some desperate villain at a direct angle across the track. The engine and tender were thrown off to a distance of some twenty feet, both being capsized. The engineer and fireman, almost miraculously, escaped with but slight injury. The passenger car was not taken off.—*Wilmington Chronicle.*

PRESIDENT'S MESSAGE.

Fellow Citizens of the Senate and House of Representatives:

Our devout gratitude is due to the Sovereign Being for having graciously continued to our beloved country, through the vicissitudes of another year, the invaluable blessings of health, plenty, and peace. Seldom has this favored land been so generally exempted from the ravages of disease, or the labour of the husbandman been more amply rewarded; and never before have our relations with other countries been placed on a more favorable basis than that which they now happily occupy at this critical conjuncture in the affairs of the world. A rigid and persevering abstinence from all interference with the domestic and political relations of other States, alike due to the genius and distinctive character of our Government and to the principles by which it is directed, is faithful observance, in the management of our foreign relations, of the practice of speaking plainly, dealing justly, and requiring truth and justice in return, as the best conservatives of the peace of nations; strict impartiality in our manifestations of friendship, in the commercial privileges we concede, and those we require from others; these, accompanied by a disposition as prompt to maintain, in every emergency, our own rights, as we are from principle averse to the invasion of those of others, have given to our country and Government a standing in the great family of nations, of which we have just cause to be proud, and the advantages of which are experienced by our citizens throughout every portion of the earth to which their enterprising and adventurous spirit may carry them. Few, if any, remain insensible to the value of our friendship, or ignorant of the terms on which it can be acquired, and by which it can alone be preserved.

A series of questions of long standing, difficult in their adjustment, and important in their consequences, in which the rights of our citizens and the honor of the country were deeply involved, have, in the course of a few years, (the most of them during the successful administration of my immediate predecessor,) been brought to a satisfactory conclusion; and the most important of those remaining are, I am happy to believe, in a fair way of being speedily and satisfactorily adjusted.

With all the Powers of the world our relations are those of honorable peace. Since our adjournment, nothing serious has occurred to interrupt or threaten this desirable harmony. If clouds have lowered above the other hemisphere, they have not cast their portentous shadows upon our happy shores. Bound by no entangling alliances, yet linked by a common nature and interest with the other nations of mankind, our aspirations are for the preservation of peace, in whose solid and civilizing triumphs all may participate with a generous emulation. Yet it behooves us to be prepared for any event, and to be always ready to maintain those just and enlightened principles of national intercourse, for which this Government has ever contended. In the shock of contending empires, it is only by assuming a resolute bearing, and clothing themselves with defensive armor, that neutral nations can maintain their independent rights.

The excitement which grew out of the territorial controversy between the United States and Great Britain having in a great measure subsided, it is hoped that a favorable period is approaching for its final settlement. Both Governments must now be convinced of the dangers with which the question is fraught; and it must be their desire, as it is their interest, that this perpetual cause of irritation should be removed as speedily as practicable. In my last annual message you were informed that the proposition for a commission of exploration and survey promised by Great Britain had been received, and that a counterproject, including also a provision for the certain and final adjustment of the limits in dispute, was then before the British Government for its consideration. The answer of that Government, accompanied by additional propositions of its own, was received, through its minister here, since your separation. These were promptly considered; such as were deemed correct in principle, and consistent with a due regard to the just rights of the U. States and of the State of Maine, concurred in; and the reasons for dissenting from the residue, with an additional suggestion on our part, communicated by the Secretary of State to Mr. Fox. That minister, not feeling himself sufficiently instructed upon some of the points raised in the discussion, felt it to be his duty to refer the matter to his own Government for its further decision. Having now been for some time under its advisement, a speedy answer may be confidently expected. From the character of the points still in difference, and the undoubted disposition of both parties to bring the matter to an early conclusion, I look with entire confidence to a prompt and satisfactory termination of the negotiation. Three commissioners were appointed shortly after the adjournment of Congress, under the act of the last session providing for the exploration and survey of the line which separates the States of Maine and New Hampshire from the British Provinces; they have been actively employed until their progress was interrupted by the inclemency of the season, and will resume their labors as soon as practicable in the ensuing year.

It is understood that their respective examinations will throw new light upon the subject in controversy, and serve to remove any erroneous impressions which may have been made elsewhere prejudicial to the rights of the U. States. It was, among other reasons, with a view of preventing the embarrassments which, in our peculiar system of government, impede and complicate negotiations involving the territorial rights of a State, that I thought it my duty, as you have been informed on a previous occasion, to propose to the British Government, through its minister at Washington, that early steps should be taken to adjust the points of difference on the line of boundary from the entrance of Lake Superior to the most northwestern point of the Lake of the Woods, by the arbitration of a friendly Power, in conformity with the seventh article of the treaty of Ghent. No answer has yet been returned by the British Government to this proposition.

With Austria, France, Prussia, Russia, and the remaining Powers of Europe, I am happy to inform you our relations continue to be of the most friendly character. With Belgium, a treaty of commerce and navigation, based upon liberal principles of reciprocity and equality, was concluded in March last, and, having been ratified by the Belgian Government, will be duly laid before the Senate. It is a subject of congratulation that it provides for the satisfactory adjustment of a long-standing question of controversy; thus removing the only obstacle which could obstruct the friendly and mutually advantageous intercourse between the two nations. A messenger has been despatched with the Hanoverian treaty to Berlin, where, according to stipulation, the ratifications are to be exchanged. I am happy to announce to you that, after many delays and difficulties, a treaty of commerce and navigation, between the U. States and Portugal, was concluded and signed at Lisbon, on the 26th day of August last, by the plenipotentiaries of the two Governments. Its stipulations are founded upon those principles of mutual liberality and advantage which the United States have always sought to make the basis of their intercourse with foreign Powers, and it is hoped they will tend to foster and strengthen the commercial intercourse of the two countries.

Under the appropriation of the last session of Congress, an agent has been sent to Germany, for the purpose of promoting the interests of our tobacco trade.

The commissioners appointed under the convention for the adjustment of claims of citizens of the U. States upon Mexico having met and organized at Washington, in August last, the papers in the possession of the Government, relating to those claims, were communicated to the board. The claims not embraced by that convention are now the subject of negotiation between the two Governments, through the medium of our minister at Mexico.

Nothing has occurred to disturb the harmony of our relations with the different governments of South America. I regret, however, to be obliged to inform you, that the claims of our citizens upon the late Republic of Colombia have not yet been satisfied by the separate governments into which it has been resolved.

The Chargé d'Affaires at Brazil having expressed the intention of his government not to prolong the treaty of 1828 it will cease to be obligatory upon either party on the 12th day of Dec. 1841, when the extensive commercial intercourse between the United States and that vast empire will no longer be regulated by express stipulations.

It affords me pleasure to communicate to you that the government of Cuba has entered into an agreement to indemnify the claimants in the case of the Macedonian, for American property seized in 1819, and to add, that information has also been received which justifies the hope of an early adjustment of the remaining claims upon that government.

The Commissioners appointed in pursuance of the Convention between the U. States and Texas, for marking the boundary between them, have, according to the last report received from our Commissioners, surveyed and established the whole extent of boundary North along the Western boundary of the Sabine river, from its entrance into the Gulf of Mexico to the 32d degree of North latitude. The Commissioners adjourned on the 16th of June last, to reassemble on the 1st of Nov. for the purpose of establishing accurately the intersection of the 32d degree of latitude with the Western bank of the Sabine, and the meridian line thence to Red river. It is presumed that the work will be concluded in the present season.

The present sound condition of their finances, and the success with which embarrassments in regard to them, at times apparently insurmountable, have been overcome, are matters upon which the people and the government of the U. States may well congratulate themselves. An overflowing Treasury, however it may be regarded as an evidence of public prosperity, is seldom conducive to the permanent welfare of any people; and experience has demonstrated its incompatibility with the salutary action of political institutions like those of the U. States. Our safest reliance for financial efficiency and independence is, on the contrary, been found to exist in ample resources unincumbered with debt; and, in this respect, the Federal Government occupies a singularly fortunate and truly enviable position.

When I entered upon the discharge of my official duties in March 1837, the act for the distribution of the surplus revenue was in a course of rapid execution. Nearly $28,000,000 of the public moneys were, in pursuance of its provisions, deposited with the States in the months of January, April and July, of that year. In May there occurred a general suspension of specie payments by the banks, including, with very few exceptions, those in which the public moneys were deposited, and upon whose fidelity the Government had unfortunately made itself dependent for the revenues which had been collected from the people, and were indispensable to the public service. This suspension, and the excesses in banking and commerce out of which it arose, and which were greatly aggravated by its occurrence, made, to a great extent, unavailable the principal part of the public money then on hand; suspended the collection of many millions accruing on merchants' bonds, and greatly reduced the revenue arising from customs and the public lands. These efforts have continued to operate, in various degrees, to the present period; and, in addition to the decrease in the revenue thus produced, 24 millions of duties have been relinquished by two biennial reductions under the act of 1833, and probably as much more upon the importation of iron for rail roads, by special legislation.

Whilst such has been our condition for the last four years, in relation to revenue, we have during the same period, been subjected to an unavoidable continuance of large extraordinary expenses, necessarily growing out of past transactions, and which could not be immediately arrested without great prejudice to the public interest. Of these, the charge upon the Treasury, in consequence of the Cherokee treaty alone, without adverting to others arising out of Indian treaties, has already exceeded $5,000,000; that for the prosecution of measures for the removal of the Seminole Indians, which were found in progress, has been nearly 14,000,000; and the public buildings have required the unusual sum of nearly 3,000,000.

It affords me, however, great pleasure to be able to say, that, from the commencement of this period to the present day, every demand upon the Government, at home or abroad, has been promptly met. This has been done, not only without creating a permanent debt, or a resort to additional taxation in any form, but in the midst of a steadily progressive reduction of existing burdens upon the people; leaving still a considerable balance of available funds which will remain in the Treasury at the end of the year. The small amount of Treasury notes, not exceeding four and a half millions of dollars, still outstanding, and less by twenty-three millions than the United States have in deposite with the States, is composed of such only as are not yet due, or have not been presented for payment. They may be redeemed out of the accruing revenue, if the expenditures do not exceed the amount within which they may, it is thought, be kept without prejudice to the public interest, and the revenue shall prove to be as large as may justly be anticipated.

Among the reflections arising from the contemplation of these circumstances, one, not the least gratifying, is the consciousness that the Government had the resolution and the ability to adhere, in every emergency, to the sacred obligations of law; to execute all its contracts according to the requirements of the constitution; and thus to present, when most needed, a rallying-point by which the business of the whole country might be brought back to a safe and unvarying standard—a result vitally important as well to the interests as to the morals of the people. There can surely now be no difference of opinion in regard to the incalculable evils that would have arisen if the Government, at that critical moment, had suffered itself to be deterred from upholding the only true standard of value, either by the pressure of adverse circumstances or the violence of unmerited denunciation. The manner in which the people sustained the performance of this duty was highly honorable to their fortitude and patriotism. It cannot fail to stimulate their agents to adhere, under all circumstances, to the line of duty; and to satisfy them of the safety with which a course really right, and demanded by a financial crisis, may, in a community like ours, be pursued, however apparently severe its immediate operation.

The policy of the Federal Government, in extinguishing as rapidly as possible the national debt, and, subsequently, in resisting every temptation to create a new one, deserves to be regarded in the same favorable light. Among the many objections to a national debt, the certain tendency of public securities to concentrate ultimately in the coffers of foreign stock-holders, is one which is every day gathering strength. Already have the resources of many of the States, and the future industry of their citizens, been indefinitely mortgaged to the subjects of European Governments, to the amount of twelve millions annually, to pay the constantly accruing interest on borrowed money—a sum exceeding half the ordinary revenues of the whole United States. The pretext which this relation affords to foreigners to scrutinize the management of our domestic affairs, if not actually to intermeddle with them, presents a subject for earnest attention, not to say of serious alarm. Fortunately, the Federal Government, with the exception of an obligation entered into in behalf of the District of Columbia, which must soon be discharged, is wholly exempt from any such embarrassment. It is also, as is believed, the only Government which, having fully and faithfully paid all its creditors, has also relieved itself entirely from debt. To maintain a distinction so desirable, and so honorable to our national character, should be an object of earnest solicitude. Never should a free people, if it be possible to avoid it, expose themselves to the necessity of having to treat of the peace, the honor, or the safety of the Republic, with the Governments of foreign creditors, who, however well disposed they may be to cultivate with us in general friendly relations, are nevertheless, by the law of their own condition, made hostile to the success and permanency of political institutions like ours. Most humiliating may be the embarrassments consequent upon such a condition. Another objection, scarcely less formidable, to the commencement of a new debt, is its inevitable tendency to increase in magnitude, and to foster national extravagance. He has been an unprofitable observer of events, who needs at this day to be admonished of the difficulties which a Government, habitually dependent on loans to sustain its ordinary expenditures, has to encounter in resisting the influences constantly exerted in favor of additional loans; by capitalists, who enrich themselves by Government securities for amounts much exceeding the money they actually advance—a prolific source of individual aggrandizement in all borrowing countries; by stockholders, who seek their gains in the rise and fall of public stocks; and by the selfish importunities of applicants for appropriations for works avowedly for the accommodation of the public, but the real objects of which are, too frequently, the advancement of private interests. The known necessity which so many of the States will be under to impose taxes for the payment of the interest on their debts, furnishes an additional and very cogent reason why the Federal Government should refrain from creating a national debt, by which the people would be exposed to double taxation for a similar object. We possess within ourselves ample resources for every emergency; and we may be quite sure that our citizens, in no future exigency, will be unwilling to supply the Government with all the means asked for the defence of the country. In time of peace there can, at all events, be no justification for the creation of a permanent debt by the Federal Government. Its limited range of constitutional duties may certainly, under such circumstances, be performed without such a resort. It has, it is seen, been avoided during four years of greater fiscal difficulties than have existed in a similar period since the adoption of the constitution, and one also remarkable for the occurrence of extraordinary causes of expenditures.

But, to accomplish so desirable an object, two things are indispensable: first, that the action of the Federal Government be kept within the boundaries prescribed by its founders; and, secondly, that all appropriations for objects admitted to be constitutional, and the expenditure of them also, be subjected to a standard of rigid but well-considered and practical economy. The first depends chiefly on the people themselves, the opinions they form of the true construction of the constitution, and the confidence they repose in the political sentiments of those they select as their representatives in the Federal Legislature; the second rests upon the fidelity with which their more immediate representatives, and other public functionaries, discharge the trusts committed to them. The duty of economizing the expenses of the public service is admitted on all hands; yet there are few subjects upon which there exists a wider difference of opinion than is constantly manifested in regard to the fidelity with which that duty is discharged. Neither diversity of sentiment, nor even mutual recriminations, upon a point in respect to which the public mind is so justly sensitive, can well be entirely avoided; and least so at periods of great political excitement. An intelligent people, however, seldom fail to arrive, in the end, at correct conclusions in such a matter. Practical economy in the management of public affairs can have no adverse influence to contend with more powerful than a large surplus revenue; and the unusually large appropriations for 1837 may, without doubt, independently of the extraordinary requisitions for the public service growing out of the state of our Indian relations, be, in no inconsiderable degree, traced to this source. The sudden and rapid distribution of the large surplus then in the Treasury, and the equally sudden and unprecedentedly severe revulsion in the commerce and business of the country, pointing with unerring certainty to a great and protracted reduction of the revenue, strengthened the propriety of the earliest practicable reduction of the public expenditures.

But, to change a system operating upon so large a surface, and applicable to such numerous and diversified interests and objects, was more than the work of a day. The attention of every department of the Government was immediately, and in good faith, directed to that end; and has been so continued to the present moment. The estimates and appropriations for the year 1838 (the first over which I had any control) were somewhat diminished. The expenditures of 1839 were reduced six millions of dollars. Those of 1840, exclusive of disbursements for public debt and trust claims, will probably not exceed twenty-two and a half millions; being between two and three millions less than those of the preceding year, and nine or ten millions less than those of 1837. No has it been found necessary, in order to produce this result, to resort to the power conferred by Congress, of postponing certain classes of the public works, except by deferring expenditures for a short period upon a limited portion of them; and which postponement terminated some time since, at the moment the Treasury Department, by further receipts from the indebted banks, became fully assured of its ability to meet them without prejudice to the public service in other respects. Causes are in operation which will, it is believed, justify a still further reduction, without injury to any important national interest. The expenses of sustaining the troops employed in Florida have been gradually and greatly reduced, through the persevering efforts of the War Department; and a reasonable hope may be entertained that the necessity for military operations in that quarter will soon cease. The removal of the Indians from within our settled borders is nearly completed. The pension list, one of the heaviest charges upon the Treasury, is rapidly diminishing by death. The most costly of our public buildings are either finished, or nearly so; and we may, I think, safely promise ourselves a continued exemption from border difficulties.

The available balance in the Treasury on the 1st of January next is estimated at one million and a half of dollars. This sum, with the expected receipts from all sources during the next year, will, it is believed, be sufficient to enable the Government to meet every engagement, and leave a suitable balance in the Treasury at the end of the year, if the remedial measures connected with the customs and the public lands, heretofore recommended, shall be adopted, and the new appropriations by Congress shall not carry the expenditures beyond the official estimates.

The new system established by Congress for the safekeeping of the public money, prescribing the kind of currency to be received for the public revenue, and providing additional guards and securities against losses, has now been several months in operation. Although it might be premature, upon an experience of such limited duration, to form a definite opinion in regard to extent of its influences in correcting many evils under which the Federal Government and the country have hitherto suffered—especially those that have grown out of banking expansions, a depreciated currency, and official defalcations; yet it is but right to say that nothing has occurred in the practical operation of the system to weaken in the slightest degree, but much to strengthen, the confident anticipations of its friends. The grounds of these have been heretofore so fully explained as to require no recapitulation. In respect to the facility and convenience it affords in conducting the public service, and the ability of the Government to discharge through its agency every duty attendant on the collection, transfer, and disbursement of the public money with promptitude and success, I can say, with confidence, that the apprehensions of those who felt it to be their duty to oppose its adoption have proved to be unfounded. On the contrary, this branch of the fiscal affairs of the Government has been, and it is believed may always be, thus carried on with every desirable facility and security. A few changes and improvements in the details of the system, without affecting any principles involved in it, will be submitted to you by the Secretary of the Treasury, and will, I am sure, receive at your hands that attention to which they may, on examination, be found to be entitled.

I have deemed this brief summary of our fiscal affairs necessary to the due performance of a duty specially enjoined upon me by the constitution. It will serve, also, to illustrate more fully the principles by which I have been guided in reference to two contested points in our public policy, which were earliest in their development, and have been more important in their consequences, than any that have arisen under our complicated and difficult, yet admirable, system of government: I allude to a national debt, and a national bank. It was in these that the political contests by which the country has been agitated ever since the adoption of the constitution, in a great measure, originated; and there is too much reason to apprehend that the conflicting interests and opposing principles thus marshalled, will continue, as heretofore, to produce similar, if not aggravated, consequences.

Coming into office the declared enemy of both, I have earnestly endeavored to prevent a resort to either.

The consideration that a large public debt affords an apology, and produces, in some degree, a necessity also, for resorting to a system and extent of taxation which is not only oppressive throughout, but likewise so apt to lead, in the end, to the commission of that most odious of all offences against the principles of republican government—the prostitution of political power, conferred for the general benefit, to the aggrandizement of particular classes, and the gratification of individual cupidity—is alone sufficient, independently of the weighty objections which have already been urged, to render its creation and existence the sources of bitter and unappeasable discord. If we add to this, its inevitable tendency to produce and foster extravagant expenditures of the public money, by which a necessity is created for new loans and new burdens on the people; and, finally, if we refer to the examples of every Government which has existed, for proof, how seldom is it that the system, when once adopted and implanted in the policy of a country, has failed to expand itself, until public credit was exhausted, and the people were no longer able to endure its increasing weight, it seems impossible to resist the conclusion, that no benefits resulting from its career, no extent of conquest, no accession of wealth to particular classes, nor any, nor all its combined advantages, can counterbalance its ultimate but certain results—a splendid Government, and an impoverished people.

If a national bank was, as is undeniable, repudiated by the framers of the constitution as incompatible with the rights of the States and the liberties of the people; if, from the beginning, it has been regarded by large portions of our citizens as coming in direct collision with that great and vital amendment of the constitution, which declares that all powers not conferred by that instrument on the General Government are reserved to the States and to the people; if it has been viewed by them as the first great step in the march of latitudinous construction, which, unchecked, would render that sacred instrument of as little value as an unwritten constitution, dependent, as it would alone be, for its meaning, on the interested interpretation of a dominant party, and affording no security to the rights of the minority;—if such is undeniably the case, what rational grounds could have been conceived for anticipating aught but determined opposition to such an institution at the present day!

Could a different result have been expected, when the consequences which have flowed from its creation, and particularly from its struggles to perpetuate its existence, had confirmed, in so striking a manner, the apprehensions of its earliest opponents; when it had been so clearly demonstrated that a concentrated money-power, wielding so vast a capital, and combining such incalculable means of influence, may, in those peculiar conjunctures to which this Government is unavoidably exposed, prove an overmatch for the political power of the people themselves; when the true character of its capacity to regulate, according to its will and its interests, and the interests of its favorites, the value and production of the labor and property of every man in this extended country, had been so fully and fearfully developed; when it was notorious that all classes of this great community had, by means of the power and influence it thus possessed, been infected to madness with a spirit of heedless speculation; when it had been seen that, secure in the support of the combination of influences by which it was surrounded, it could violate its charter, and set the laws at defiance with impunity; and when, too, it had become most apparent that to believe that such an accumulation of powers can ever be granted without the certainty of being abused, was to indulge in a fatal delusion!

To avoid the necessity of a permanent debt, and its inevitable consequences, I have advocated, and endeavored to carry into effect, the policy of confining the appropriations for the public service to such objects only as are clearly within the constitutional authority of the Federal Government; of excluding from its expenses those improvident and unauthorized grants of public money for works of internal improvement, which were so wisely arrested by the constitutional interposition of my predecessor, and which, if they had not been so checked, would long before this time have involved the finances of the General Government in embarrassments far greater than those which are now experienced by any of the States; of limiting all our expenditures to that simple, unostentatious, and economical administration of public affairs, which is alone consistent with the character of our institutions; of collecting annually from the customs, and the sales of public lands, a revenue fully adequate to defray all the expenses thus incurred, but, under no pretence whatsoever, to impose taxes upon the people to a greater amount than was actually necessary to the public service, conducted upon the principles I have stated.

In lieu of a national bank, or a dependence upon banks of any description, for the management of our fiscal affairs, I recommended the adoption of the system which is now in successful operation. That system affords every requisite facility for the transaction of the pecuniary concerns of the Government; will, it is confidently anticipated, produce in other respects many of the benefits which have been from time to time expected from the creation of a national bank, but which have never been realized; avoid the manifold evils inseparable from such an institution; diminish, to a greater extent than could be accomplished by any other measure of reform, the patronage of the Federal Government—a wise policy in all Governments, but more especially so in one like ours, which works well only in proportion as it is made to rely for its support upon the unbiassed and unadulterated opinions of its constituents; do away, forever, all dependence on corporate bodies, either in the raising, collecting, safekeeping, or disbursing the public revenue; and place the Government equally above the temptation of fostering a dangerous and unconstitutional institution at home, or the necessity of adapting its policy to the views and interests of a still more formidable money-power abroad.

It is by adopting and carrying out these principles, under circumstances the most arduous and discouraging, that the attempt has been made, thus far successfully, to demonstrate to the people of the U. States that a national bank at all times, and a national debt, except it be incurred at a period when the honor and safety of the nation demand the temporary sacrifice of a policy, which should only be abandoned in such exigencies, are not merely unnecessary, but in direct and deadly hostility to the principles of their Government, and to their own permanent welfare.

The progress made in the development of these positions, appears in the preceding sketch of the past history and present state of the financial concerns of the Federal Government. The facts there stated fully authorize the assertion, that all the purposes for which this Government was instituted have been accomplished during four years of greater pecuniary embarrassment than were ever before experienced in time of peace, and in the face of opposition as formidable as any that was ever before arrayed against the policy of an administration; that this has been done when the ordinary revenues of the Government were generally decreasing, as well from the operation of the laws, as the condition of the country, without the creation of a permanent public debt, or incurring any liability, other than such as the ordinary resources of the Government will speedily discharge, and without the agency of a national bank.

If this view of the proceedings of the Government, for the period it embraces, be warranted by the facts as they are known to exist; if the army and navy have been sustained to the full extent authorized by law, and which Congress deemed sufficient for the defence of the country and the protection of its rights and its honor; if its civil and diplomatic service has been equally sustained; if ample provision has been made for the administration of justice and the execution of the laws; if the claims upon public gratitude in behalf of the soldiers of the Revolution have been promptly met, and faithfully discharged; if there have been no failures in defraying the very large expenditures growing out of that long-continued and salutary policy of peacefully removing the Indians to regions of comparative safety and prosperity; if the public faith has at all times, and every where, been most scrupulously maintained by a prompt discharge of the numerous, extended, and diversified claims on the Treasury;—if all these great and permanent objects, with many others that might be stated, have, for a series of years, marked by peculiar obstacles and difficulties, been successfully accomplished without a resort to a permanent debt, or the aid of a national bank; have we not a right to expect that a policy, the object of which has been to sustain the public service independently of either of these fruitful sources of discord, will receive the final sanction of a people whose unbiassed and fairly elicited judgment upon public affairs is never ultimately wrong!

That embarrassments in the pecuniary concerns of individuals, of unexampled extent and duration, have recently existed in this as in other commercial nations, is undoubtedly true. To suppose it necessary now to trace these reverses to their sources, would be a reflection on the intelligence of my fellow-citizens. Whatever may have been the obscurity in which the subject was involved during the earlier stages of the revulsion, there cannot now be many by whom the whole question is not fully understood.

Not deeming it within the constitutional powers of the General Government to repair private losses sustained by reverses in business having no connexion with the public service, either by direct appropriations from the Treasury, or by special legislation designed to secure exclusive privileges and immunities to individuals or classes in preference to, and at the expense of, the great majority necessarily debarred from any participation in them, no attempt to do so has been either made, recommended, or encouraged, by the present Executive.

It is believed, however, that the great purposes for the attainment of which the Federal Government was instituted have not been lost sight of. Intrusted only with certain limited powers, cautiously enumerated, distinctly specified, and defined with a precision and clearness which would seem to defy misconstruction, it has been my constant aim to confine myself within the limits so clearly marked out, and so carefully guarded. Having always been of opinion that the best preservative of the union of the States is to be found in a total abstinence from the exercise of all doubtful powers on the part of the Federal Government, rather than in attempts to assume them by a loose construction of the constitution, or an ingenious perversion of its words, I have endeavored to avoid recommending any measure which I had reason to apprehend would, in the opinion even of a considerable minority of my fellow-citizens, be regarded as trenching on the rights of the States, or the provisions of the hallowed instrument of our Union. Viewing the aggregate powers of the Federal Government as a voluntary concession of the States, it seemed to me that such only should be exercised as were at the time intended to be given.

I have been strengthened, too, in the propriety of this course, by the conviction that all efforts to go beyond this, tend only to produce dissatisfaction and distrust, to excite jealousies, and to provoke resistance. Instead of adding strength to the Federal Government, even when successful, they must ever prove a source of incurable weakness, by alienating a portion of those whose adhesion is indispensable to the great aggregate of united strength, and whose voluntary attachment is, in my estimation, far more essential to the efficiency of a government strong in the best of all possible strength—the confidence and attachment of all those who make up its constituent elements.

Thus believing, it has been my purpose to secure to the whole people, and to every member of the confederacy, by general, salutary, and equal laws alone, the benefit of those republican institutions which it was the end and aim of the constitution to establish, and the impartial influence of which is, in my judgment, indispensable to their preservation. I cannot bring myself to believe that the lasting happiness of the people, the prosperity of the States, or the permanency of their Union, can be maintained by giving preference or priority to any class of citizens in the distribution of benefits or privileges, or by the adoption of measures which enrich one portion of the Union at the expense of another; nor can I see in the interference of the Federal Government with the local legislation and reserved rights of the States a remedy for present, or a security against future, dangers.

The first, and assuredly not the least, important step towards relieving the country from the condition into which it has been plunged by excesses in trade, banking, and credits of all kinds, was to place the business transactions of the Government itself on a solid basis; giving and receiving in all cases value for value, and neither countenancing nor encouraging in others that delusive system of credits from which it has been found so difficult to escape, and which has left nothing behind it but the wrecks that mark its fatal career.

That the financial affairs of the Government are now, and have been during the whole period of these widespreading difficulties, conducted with a strict and invariable regard to this great fundamental principle, and that by the assumption and maintenance of the stand thus taken on the very threshold of the approaching crisis, more than by any other cause or causes whatever, the community at large has been shielded from the incalculable evils of a general and indefinite suspension of specie payments, and a consequent annihilation, for the whole period it might have lasted, of a just and invariable standard of value, will, it is believed, at this period, scarcely be questioned.

A steady adherence, on the part of the Government, to the policy which has produced such salutary results, aided by judicious State legislation, and, what is not less important, by the industry, enterprise, perseverence and economy of the American people, cannot fail to raise the whole country, at an early period, to a state of solid and enduring prosperity, not subject to be again overthrown by the suspension of banks or the explosion of a bloated credit system. It is for the people, and their representatives, to decide whether or not the permanent welfare of the country (which all good citizens equally desire, however widely they may differ as to the means of its accomplishment) shall be in this way secured; or whether the management of the pecuniary concerns of the Government, and, by consequence, to a great extent, those of individuals also, shall be carried back to a condition of things which fostered those contractions and expansions of the currency, and those reckless abuses of credit, from the baleful effects of which the country has so deeply suffered—a return that can promise, in the end, no better results than to reproduce the embarrassments the Government has experienced; and to remove from the shoulders of the present, to those of fresh victims, the bitter fruits of that spirit of speculative enterprise to which our countrymen are so liable, and upon which the lessons of experience are so unavailing. The choice is an important one, and I sincerely hope that it may be wisely made.

A report from the Secretary of War, presenting a detailed view of the affairs of that department, accompanies this communication.

The desultory duties connected with the removal of the Indians, in which the army has been constantly engaged on the northern and western frontiers and in Florida, have rendered it impracticable to carry into full effect the plan recommended by the Secretary for improving its discipline. In every instance where the regiments have been concentrated, they have made great progress; and the best results may be anticipated from a continuance of this system. During the last season, a part of the troops have been employed in removing Indians from the interior to the territory assigned them in the west—a duty which they have performed efficiently, and with praiseworthy humanity; and that portion of them which has been stationed in Florida commenced active operations there throughout the heats of summer.

The policy of the U. States in regard to the Indians, of which a succinct account is given in a message of 1838, and of the wisdom and expediency of which I am fully satisfied, has been continued in active operation throughout the whole period of my administration. Since the spring of 1837, more than forty thousand Indians have been removed to their new homes west of the Mississippi; and I am happy to add, that all accounts concur in representing the result of this measure as eminently beneficial to that people.

The emigration of the Seminoles alone has been attended with difficulty, and occasioned bloody hostilities having been commenced by the Indians in Florida, under the apprehension that they would be compelled, by force, to comply with their treaty stipulations. The execution of the treaty of Payne's Landing, signed in 1832, but not ratified until 1834, was postponed, at the solicitation of the Indians, until 1836, when they again renewed their agreement to remove peaceably to their new homes in the West. In the face of this solemn and renewed compact, they broke their faith, and commenced hostilities by the massacre of Major Dade's command, the murder of their agent, General Thompson, and other acts of cruel treachery. When this alarming and unexpected intelligence reached the seat of Government, every effort appears to have been made to repair, General Clinch, who commanded the troops in Florida. General Eustis was despatched with reinforcements from Charleston; troops were called from Alabama, Tennessee, and Georgia; and General Scott was sent to take the command, with ample powers and ample means. At the first alarm, Governor Gaines organized a force at New Orleans, and was not waiting for orders, landed in Florida, where he delivered over the troops he had brought with him to General Scott.

Governor Call was subsequently appointed to conduct a summer campaign, and, at the close of it, was replaced by General Jesup. Those successive changes took place under the administration of my predecessor. Notwithstanding the exertions of experienced officers who had command there for eighteen months, on entering upon the administration of the Government I found the Territory of Florida a prey to Indian atrocities. A strong effort was immediately made to bring these hostilities to a close; and the army, under General Jesup, was reinforced until it amounted to ten thousand men, and furnished with abundant supplies of every description. In this campaign a great number of the enemy were captured and destroyed; but the character of the contest only was changed. The Indians, having been defeated in every engagement, dispersed in small bands throughout the country, and became an enterprising, formidable, and ruthless foe. General Taylor, who succeeded General Jesup, used his best exertions to subdue them; was seconded in his efforts by the officers under his command; but he, too, failed to protect the Territory from their depredations. By an act of signal and cruel treachery, they broke the truce made with them by General Macomb, who was sent from Washington for the purpose of carrying into effect the expressed wishes of Congress, and have continued their devastations ever since. General Armistead, who was in Florida when General Taylor left the army, by permission, assumed the command, and, after an active summer operations, was met by proposals for peace; and, from the fortunate circumstance of my arrival in Florida at the same period, of offers from the Seminoles who are happily settled west of the Mississippi, and are now anxious to persuade their countrymen to join them there, hopes were at one time entertained that the Indians might be induced to leave the Territory without further difficulty. These hopes have proved fallacious, and hostilities have been renewed throughout the whole of the Territory. That this contest has been so long, is to be attributed to causes beyond the control of the Government. Experienced generals, who had the command of the troops, officers and soldiers have alike distinguished themselves for their untiring patience, and enduring courage; the army has been constantly furnished with supplies of every description; and we must look for the causes which have so long protractated the issue of the contest, in the vast extent of the theatre of hostilities, the almost insurmountable obstacles presented by the nature of the country, the climate, and the wily character of the savages.

The sites for marine hospitals on the rivers and lakes, which I was authorized to select and cause to be purchased, have all been designated; but the appropriation not proving sufficient, no further arrangements only have been made for their erection. It is for Congress to decide whether those contracted purchases shall be sanctioned, and the humane intentions of the law carried into full effect.

The navy, as will appear from the accompanying report of the Secretary, has been usefully employed in the protection of our commerce and citizens in the Mediterranean, the Gulf of Mexico, the coast of Brazil, and in the Gulf of Guinea. A small squadron, consisting of the frigate Constitution, and the sloops of war Boston, under Commodore Kearney, is now on its way to the China and Indian seas, for the purpose of attending to interests in that quarter; and Commander Wilkes, in the sloop of war Yorktown, has been instructed to visit the Sandwich and Society Islands, the Navigator's, New Zealand and Japan, together with other groups and islands frequented by our whale-ships, for the purpose of giving them countenance and protection should they be required. Other smaller vessels have been, and still are, employed in protecting the surveys of the coast of the United States, directed by various acts of Congress; and those which have been completed will shortly be laid before you.

The exploring expedition, at the latest dates, was preparing to leave the Bay of Islands, New Zealand, to further prosecution of objects which have thus far been successfully accomplished. The discovery of a new continent, which was first seen in latitude 66° 30′ south, longitude 154° 57′ east, and afterwards in latitude 66° 31′ south, longitude 153° 16′ east, by Lieutenants Wilkes and Hudson, for an extent of eighteen hundred miles, but on which they were prevented from landing by vast bodies of ice which encompassed it, is one of the honorable results of the enterprize. Lieutenant Wilkes bears testimony to the zeal and good conduct of his officers and men, and it is but justice to that officer to state that he appears to have performed the duties assigned him with an ardor, ability and perseverance, which give every assurance of an honorable issue to the undertaking.

The report of the Postmaster General, herewith transmitted, will exhibit the service of that department the past year, and its present condition. The transportation has been maintained during the year to the full extent authorized by the existing laws; public interest seemed urgently to demand, but no involving any material additional expenditure. The contractors have generally performed their engagements with fidelity; the postmasters, with few exceptions, have rendered their accounts and paid the quarterly balances with promptitude; and the whole service of the department has maintained the efficiency for which it has for several years been distinguished.

The acts of Congress establishing new mail routes and requiring more expensive services on others, and the increasing wants of the country, have, in three years past, carried the expenditures somewhat beyond the accruing revenues; the excess having been met, until the past year, by the surplus which had previously accumulated. That surplus having been exhausted, and the anticipated increase in the revenue not having been realized, owing to the depression in the commercial business of the country, the finances of the department exhibit a similar deficiency at the close of the last fiscal year. Its resources, however, are ample; and the reduced rates of compensation for the transportation service, which may be expected on the future lettings, from the general reduction of prices, with the increase of revenue that may reasonably be anticipated from the revival of commercial activity, must soon place the finances of the department in a prosperous condition.

Considering the unfavorable circumstances which have existed during the past year, it is a gratifying result that the revenue has not declined, as compared with the preceding year, but on the contrary, exhibits a small increase; the circumstances referred to having had no other effect than to check the expected income.

It will be seen that the Postmaster General suggests certain improvements in the establishment, designed to reduce the weight of the mails, cheap-

...portation, ensure greater regularity in the ...ivice, and secure a considerable reduction in the ...tes of letter-postage—an object highly desirable. ...e subject is one of general interest to the commu... and is respectfully recommended to your con...eration.

The suppression of the African slave-trade has received the continued attention of the Government. The brig Dolphin and schooner Grampus have been employed during the last season on the coast of Africa for the purpose of preventing such portions of ...r trade as was said to be prosecuted under the American flag. After cruising off those parts of the ...st most usually resorted to by slavers, until the ...mmencement of the rainy season, these vessels returned to the United States for supplies and have ...ce been dispatched on a similar service.

From the reports of the commanding officers, it ...pears that the trade is now principally carried on ...der Portuguese colors; and they express the opinion that the apprehension of their presence on the ...ave-coast has in a great degree, arrested the prosecution of the American flag to this inhuman purpose. It is hoped that, by continuing to maintain this force ...n that quarter, and by the exertions of the officers ...d command, much will be done to put a stop to ...whatever portion of this traffic may have been carried on under the American flag, and to prevent its use in a trade which, while it violates the laws, is equally an outrage on the rights of others and the feelings of humanity. The efforts of the several Governments who are anxiously seeking to suppress this traffic must, however, be directed against the facilities afforded by what are now recognised as legitimate commercial pursuits, before that object can be fully accomplished. Supplies of provisions, watercasks, merchandise, and articles connected with the prosecution of the slave-trade, are, it is understood, often carried by vessels of different nations to the slave factories; and the effects of the factors are transported openly from one slave station to another, without interruption or punishment by either of the nations to which they belong, engaged in the commerce of that region. I submit to your judgments whether the Government, having been the first to prohibit, by adequate penalties, the slave-trade—the first to declare it piracy—should not be the first, also, to forbid to its citizens all trade with the slave factories on the coast of Africa; giving an example to all nations in this respect, which, if fairly followed, cannot fail to produce the most effective results in breaking up those dens of iniquity.

M. VAN BUREN.

Washington, Dec. 5, 1840.

Legislature of N. Carolina.

FROM THE RALEIGH REGISTER.

MONDAY, Dec. 7.

SENATE.

...Committee, on the part of the Senate, to inquire into the necessity of an extra session of the Legislature, Messrs. Shepard, Dockery, Orr, Clingman and Pasteur.

Hugh Waddell, Senator elect for the county of ...ange, appeared, was qualified, and took his seat.

The bill to secure title to, and grant jurisdiction over a tract of land on Boyd's Island, to the United States; and the bill concerning fines and costs, were read the third time, passed, and ordered to be engrossed.

On motion of Mr. Spruill, the Judiciary Committee were instructed to inquire and report what amendments are necessary to be made to the laws relating to Sheriff's returns of the Governor's election.

Mr. Morehead, from the Judiciary Committee, to whom was referred the bill to prevent the issuing of ...ias ad satisfaciendum in certain cases, reported the bill to the Senate, and recommended its ...ion. The bill was then read the second time, and, on motion of Mr. Spruill, laid on the table.

HOUSE OF COMMONS.

Mr. Bowden introduced a Bill for the establishment and better regulation of Common Schools, ...d first time and passed.

Mr. Graham, the member elect, from the County of Orange, to fill the vacancy occasioned by the ...signation of W. A. Graham, appeared, produced credentials, was qualified and took his seat.

A message was received from the Senate, agreeing to a Joint Select Committee of five on the part of each House, to enquire into the necessity of ...ing an Extra Session of the Legislature, and informing that Messrs. Shepard, Orr, Dockery, Clingman and Pasteur, form their Branch of said Committee. Whereupon, Messrs. Barringer, Graves, ...Thompson, and Spruill, were appointed on the part of this House.

The Speaker laid before the House, statements of the Bank of North Carolina, and by the ...k of Cape Fear, exhibiting the state and condition of those Institutions. Ordered that these Exhibits be sent to the Senate, be printed, and referred to the Joint Select Committee on Banks.

Mr. Wadsworth presented a Bill to regulate the measurement of Ton or Square Timber and Sawed Lumber; which was read, and, on his motion, ...ferred to the Committee on Propositions and ...vances.

A Resolution in favor of Samuel Terry, Sheriff of Richmond County, was read the third time, and ordered to be engrossed.

The Bill concerning Pilots and Commissioners of Navigation for Cape Fear River, was read the third time, passed, and ordered to be engrossed, by a vote of 30 to 22.

TUESDAY, December 8.

SENATE.

Mr. Morehead, from the Committee on the Judiciary, to whom was referred the Bill concerning ...Sheriffs and Constables, reported the Bill with an amendment; he also reported the Bill to protect the interest of Lessors, without an amendment; the Resolution authorizing the Governor to employ Counsel to defend the title of purchasers of Cherokee lands in Macon, which were read and ordered to lie on the table. Mr. M. also reported adversely to the Resolution relative to securities to Sheriffs' Bonds. Concurred in. Mr. M. from the Committee, to whom was referred the Memorial from Perquimons, praying the Legislature to aid in suppressing the evil arising from the excessive use of ardent spirits, reported, that the remedy to the evil to be found in a due and rigid enforcement of the laws now in force, and in the disapprobation and censure of the virtuous portion of Society. Concurred in.

On motion of Mr. Reid, the Military Committee were instructed to inquire into the expediency of amending the existing law in relation to Volunteer ...panies.

Mr. Dockery presented a bill to amend an act in the Revised Statutes, to provide for the collection and management of a revenue for this State; which was read and accepted.

The bill to amend an Act, passed in the year 1818, ...ing a Magistrate for the Town of Wilmington and for other purposes, was read the second time and passed.

Mr. Barringer presented a bill to amend the Revised Statute, entitled an Act concerning Sheriffs, ...referred to the Committee on the Judiciary.

Mr. Brummell, a bill to authorize the construction of the Fayetteville and Salisbury Turnpike Road; which were read the first time and passed.

On motion of Mr. Guyther,

Resolved, that the committee on Public Buildings be instructed to make a Report of all the appropriations and expenditures since the year 1832, and be further instructed to designate the appropriations and expenditures for each year.

On motion of Mr. Withers, the Committee on the Judiciary were instructed to enquire into the expediency of abolishing the Public execution of Criminals in capital cases; also of preventing by Law, the Public infliction of Corporal punishments, and to report by bill or otherwise.

Mr. Murchison introduced a Bill to regulate the time of holding the Superior Court of Moore at its next ensuing term, which was read the first time, passed and referred to the Committee on the Judiciary.

Mr. Winston, from the Committee on the Judiciary, reported a Bill to amend the 58th Chapter of the Revised Statutes, concerning insolvent debtors, which was read the first time and passed.

Mr. Winston introduced a Bill to amend the Revised Statute for the prevention of Frauds and fraudulent Conveyances, and to repeal the third section thereof, which was read the first time, passed, and, on his motion, referred to the Committee on the Judiciary.

WEDNESDAY, Dec. 9.

SENATE.

The bill to provide for the distribution of the proceeds of land sold for Partition in certain cases, was postponed indefinitely.

The bill to authorize the construction of the Raleigh and Western Turnpike Road, was taken up for consideration, and being read the second time, Mr. Shepard addressed the Senate at length in opposition to the passage of the bill; after which, on motion of Mr. Morehead, the bill was postponed until to-morrow.

HOUSE OF COMMONS.

A report unfavorable to the bill, to lay off and establish a new County by the name of Graham, was made by Mr. J. P. Caldwell, from the Committee of Propositions and Grievances. The bill was read and rejected.

A message from the Senate, concurring in the proposition that the communication of G. E. Badger, Esq. on the subject of the State suits, and the Message of the Governor transmitting the same, be referred to a Joint Select Committee of four on the part of each House, and informing that Messrs. Waddell, Arrington, Clingman and Hill form their Branch of said Committee. Whereupon, Messrs. Hoke, Hill, Pope, and J. B. Jones were appointed on the part of this House. Also,

A Message from the Senate, transmitting the Report of the Committee on Finance and proposing that the Report be printed. Concurred in.

On motion of Mr. Winston,

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of extending the benefit of the Insolvent Debtors' law, to persons confined in Jail by virtue of Judgments, in actions for injuries to the person or property of others.

On motion of Mr. McLaughlin,

Resolved, That the Judiciary committee be instructed to inquire into the expediency of so amending the Bastardy Law, that a man imprisoned under its provisions may be permitted to take the benefit of the oath of Insolvency.

A Message was received from the Senate, informing that Messrs. Shepard, Moore, and Kerr, form their Branch of the Committee to whom is referred the Communication of the Hon. William Gaston on the subject of repairing the Statue of Washington; Whereupon, Messrs. H. C. Jones, Guthrie, and Proctor, were appointed on the part of this House.

Mr. Hoke presented a Petition from sundry Citizens of the Counties of Lincoln, Burke, Wilkes and Iredell, praying the establishment of a new County. Said Petition was read, and indefinitely postponed.

The Bill to repeal the Act concerning the Processioning of Lands, was read the third time, and postponed indefinitely.

Charles L. Hinton, Esq., has been unanimously elected Treasurer of the State. And W. F. Collins has been re-elected Comptroller. Collins 128; Geo. W. Little 30.

FAYETTEVILLE MARKET.—Dec. 16.

Brandy, peach,	45 a 50	Lime,		$2½ a $2½
Ditto, apple,	40 a 45	Lead, bar,	8 a 8½
Bacon,	8 a 10	Mackerel,	none.
Beeswax,	25 a 26	Molasses,	30 a 35
Butter,	15 a 20	Oats,	25 a 30
Bale Rope,	8 a 10	Oil, Linseed	85 a 90
Coffee,	12½ a 13½	Nails, cut,	6½ a 7
Cotton,	6 a 9½	Powder, keg,	$6½
Cotton Yarn,	16 a 22	Rags,	2½
Cotton Bagging,	20 a 25	Sugar, brown,	9½ a 12
Corn.	40 a 50	Lump,	16
Copperas,	3½ a 4	Loaf,	18 a 20
Candles, F. F.	17	Salt,	75
Flour, new	$4½ a $5½	Sack,	$2¾ a $2½
Feathers,	37½ a 40	Tallow,	11 a 11½
Flaxseed,	$1 10 a 1 15	Tin, box.	$14
Hides, green,	4 a 5	Tobacco, leaf,	4 a 5
dry,	12½ a 14	Wheat,	80 a 90
Iron,	3 a 5½	Whiskey,	30 a 35
Lard,	9 a 10	Wool,	15 a 20

4-4 Sheeting, Fayetteville manufacture, 9 cts. pr yd.

WILMINGTON MARKET—December 9.

Steam Mill Lumber 13 00 a 14 00; River Lumber, viz:—Wide Boards 6 50 a 7 00; Flooring 8 00 a 8 50; Timber 5 00 a 7 00; Staves, W. O. rough, 11 00 a 14 00; dressed, none; R. O. rough, 7 00 a 8 00; Shingles 1 75 a 4 00; Corn 50 a 60, Salt, coarse, 30 a 35, Rice 3 12 a 3 25.

CHERAW MARKET—Dec. 9.

Bacon 8 to 9; Beeswax 20 to 23; Coffee 12½ to 15½; Cotton 8 to 9; Corn 50 to 62; Flour 5 50 to 6 00; Feathers 40 to 45; Iron 5½ to 6½; Lime 4 to 4½; Molasses 40 to 50; Nails, cut, 7½ to 8; Sugar 10 to 12½; Salt, sack, 2 50 to 2 75.

Cotton at Columbia 8 to 10. Corn 50 to 56. Flour 6½ to 7½.

Cotton at New York 8 to 11; market calm; sales 1700 bales in 3 days. Flour 4 87. Corn 46 to 52.

Cotton at Augusta 8½ to 9½.

Cotton at Charleston, 8 to 10½. Corn 56 to 58. Flour 5 75 to 6.

COMMERCIAL RECORD.

ARRIVED, Dec. 13, Steamer Henrietta, Rush, with Boat Post Boy in tow, with assorted cargo, for Hall & Johnson, H. Leete, E. Fuller, A. W. Steel, G. McNeill, G. W. McDonald, B. Rose, G. B. Atkins, G. McMillan, C. P. Mallett, J. D. Williams, H. L. Myrover, T. S. Lutterloh, James Dodd, John Huske & Son, J. E. Patterson, Joseph Baker, Wm. Mitchell, Jackson Johnson, M. McGary, S. W. Tillinghast, C. J. & R. M. Orrell, Wm. McIntyre, and L. A. Nixon, of this place; and for F. Kelly, F. T. Clark, Richmond Manufacturing Company, and Dr. Pleasants, of the interior.

Also, on Monday last, Steamer Cotton Plant, with goods for Benbow & Co., Yarbrough & Ray, M. McGary, Geo. McNeill, C. T. Haigh, J. Martine, W. McIntyre, G. Deming, and C. J. & R. M. Orrell, of this place; and for G. & M. Streater, E. Mitchell, Lexington Company, G. W. Brown, and J. McFadyen, of the interior.

DEPARTED, Dec. 15, Steamer Henrietta, Rush, with Tobacco, Flour, Cotton, &c. &c., for Joseph Baker, T. S. Lutterloh, E. Fuller, George McNeill, and others.

Port of Wilmington.

ARRIVALS.

Dec'r 2.—Brig Grand Turk from Turk's Island; Schrs. Henry from Porto Rico, Tryall from Newport, R. I. 3.—Brig Baltic from Bath; Schrs. Mechanic from Wiscasset, George & William from Boston, Julia from New York. 5.—Brig Mars Hill from Porto Rico; Schrs. Philanthropist from Charleston, Lafayette from Porto Rico. 7.—Brigs Lubec from Salem, Hellespont from Guadaloupe, William Purrington from ditto. 8.—Brigs Pease from New York, American from Martinique; Schr. Elizabeth from ditto.

DEPARTURES.

December 5.—Schr. Hurd for New York. 7.—Schrs. Phœbe & Margaret for Charleston, Pizarro for New York. 8.—Schr. Thetis for Matanzas, Br. Schr. Dunmore for Green Turtle Key.

OBSERVER.

FAYETTEVILLE:

WEDNESDAY, DECEMBER 16, 1840.

THE LEGISLATURE.—We are without late advices from Raleigh, but hope to have a letter for this morning's Postscript.

Hugh McQueen, Esq., was, on Friday last, elected Attorney General, in place of J. R. J. Daniel, Esq. The bill to locate the Judges has been rejected in the Commons.

☞ See first page for Legislative proceedings, &c.

PRESIDENT'S MESSAGE.—Our readers will find this document, entire, on the preceding page.

It commences with a brief, but highly satisfactory view of our Foreign Relations.

Next follows the subject of the Finances, embracing the Sub-Treasury, Debts, Banks, &c., occupying nearly two-thirds of the Message. To this part of the Message it is needless to direct the reader's attention. He will find in it some curious things, calculated to provoke a smile, even though the writer is the President of the United States. "An overflowing revenue is seldom conducive to the permanent welfare of any people," says the President; and therefore, we suppose, he has kept ours thoroughly drained, with the aid of the Swartwouts, and Boyds, and Harrises. "Every demand upon the government, at home or abroad, has been promptly met," says the President; in the face of many notorious cases of government drafts being protested for non-payment, and of well known claims now existing against at least one department (the Post Office.) which the creditors cannot collect. He pretends to have "upheld the only true standard of value," when it is perfectly notorious that his Treasury notes, (rags, as Benton calls them,) have been thrown into circulation by millions. He declares that the government "has relieved itself entirely from debt," and professes to have "resisted every temptation to create a new debt," and yet in the next breath he admits that four and a half millions of Treasury notes are now out. He does not appear to consider this a debt; though we think if an individual had given his notes, whether printed or written, for four and a half millions, he would be apt to admit that he owed a debt. But he says there is no "*permanent* debt;" that "there can be no justification for the creation of a *permanent* debt in time of peace;" "to avoid the necessity of a *permanent* debt," he says, he has endeavored to confine the appropriations to clearly Constitutional objects. This quibble upon the term "*permanent* debt," which occurs so often in the Message, is unworthy of the President. If the present debt prove not to be a "permanent" one, the country never had a "permanent debt;" for all other debts have been paid, which is more than Mr. Van Buren can certainly say will happen with the present. If it be paid, it must be by those who succeed him, and who administer the government more economically than he has done. What is a "*permanent* debt!" Why a debt never paid and never to be paid. We hope this is too honest a nation to permit such a debt to be created; and yet Mr. Van Buren claims for his administration great credit for not having created a "permanent debt."

If the reader should consider it indecorous to laugh at the President's horror of a "permanent debt," he will probably feel no such scruple in regard to Levi Woodbury, the Secretary of the Treasury, from whom indeed the President appears to have borrowed the idea. In the Annual Report on the Finances, we find the following specimen of dry humor, (for Levi never could have meant it for sober seriousness:)—

"It is fortunate that no new debt of a permanent character has been recently created by the General Government; and the undersigned, for reasons formerly explained, which need not be here repeated, has uniformly considered it sound policy never to incur one in time of peace."

The President sets up a claim to public gratitude for economy in his administration, though the expenses have averaged upwards of 30 millions a year, and have in no year been less than 22½ millions; and though he was one of those who pulled down Mr. Adams because his expenses amounted to the enormous sum of 13 millions. He found the nation out of debt, with 15 millions in the Treasury, and has received 5 millions more for U. S. Bank stock; he has spent all this, besides all the accruing revenue, and 4½ millions of Treasury notes; and yet we owe him a heavy debt of gratitude for not creating a "permanent debt!"

The Message claims great credit to its author, for "resisting those improvident and unauthorized grants of public money for works of internal improvement, which were so wisely arrested by the constitutional interposition of my predecessor." Surely this *is* the age of humbug, since it has actually crept into the Presidential Chair. In a Report made by Levi Woodbury, Secretary of the Treasury, to the last session of Congress, it is stated, that during the first *three* years of Mr. Van Buren's administration, there was appropriated, for "Roads, Canals, Breakwaters, and Improvements in Rivers and Harbors (except Cumberland Road.)" no less a sum than $3,685,604 85, whilst during no previous *four* years did the amount ever exceed that sum; and during Mr. Adams's four years it was less than a million and a half.

Full as the Message is of *professions*, contradicted by the author's *practices*, we have room only to direct the reader's attention to one or two more instances. The President thinks that the Constitutional powers of the Federal government are "defined with a precision and clearness which would seem to defy misconstruction;" and claims great credit to himself for a strict adherence to its provisions. And yet in 1826, he contended strenuously that a Bankrupt Law to operate upon State Institutions, was unconstitutional; whilst in 1839, he recommended Congress to pass such a law. He "could not too strongly recommend" Mr. Poinsett's Army Bill, though that bill would have placed the Militia under the President's control in time of peace, and converted them into "Militia of the United States," instead of "Militia of the States," directly in the teeth of provisions of that instrument.

The Message is fruitful of subjects of remark; but we have no room for more.

☞ WE are requested to state that an Address will be delivered before the "Franklin Library Society" of this place, by the Rev. R. W. Bailey, at the Methodist Church, on Friday evening next, on the following subject: "THE FAMILY *considered as properly a primary School, organised for this end by the constitution of nature: the Parents, the appointed Teachers and Rulers, exercising a controling influence under the most eventful responsibility.*"

The public attention is invited to this discussion.

Van Buren's majority in Virginia is 1,393,

In Alabama, 5,520,

In Illinois, 1,939,

THE LEGISLATURE.—We hear from private letters, and from the Register, that a very interesting debate has sprung up in the Senate, on the Western Turnpike Bill; though, following Congressional usage, the debate is only *on* the bill, not *about* it; the real subjects being, National and individual politics. A member writes us, that he has never known so great an excitement in Raleigh as was produced by the speech of the Hon. Wm. B. Shepard, which led the way in this debate.

Mr. Shepard, in opposing the Turnpike bill, assigned as his reason, that the West was hostile to the improvement of Nag's Head; and cited the election of two Western men as Senators as evidence of that hostility. He declared, it is said, that he would support no measure of Internal Improvement until Nag's Head was opened. He went on to detail the occurrences in the Whig meetings held to fix upon the strongest candidates for the Senate, which he denounced as Caucuses; though he was himself present at those meetings, and took an active part in them;—attacked Mangum and Graham, notwithstanding he had voted for them when they were elected; &c. &c.

According to the Register, Mr. Shepard's course has been attributed by the uncharitable to disappointed expectations of being himself made Senator; and is said to have left it exceedingly doubtful what his present political position is—in other words, it is supposed that he has abandoned the Whig party.

Mr. Clingman replied very ably, and "satisfactorily to the Whigs;" to whom Mr. Shepard rejoined, in a manner, as we learn, to produce a better feeling.

We give these particulars, as in duty bound, however hardly they may seem to bear upon a gentleman for whom we entertain a very high respect and regard—a gentleman whose talents and acquirements would do honor to his State in any capacity. Mr. Shepard's course in Congress received the unqualified commendation of the Whig party in North Carolina. Like most prominent Southern men, he was an original supporter of Jackson; but when he found the measures of that Administration destructive of the rights and interests of the people, he did not hesitate to denounce it, in the very height of Jackson's popularity. His subsequent agency in revolutionizing the once strong Jackson District now represented by Mr. Rayner, is well known. And he has been a consistent, active, and powerful opponent of Van Buren.

These unquestionable facts look like any thing else than a selfish or vacillating course. And yet an apparently studied effort has been made to throw suspicion and distrust upon his motives. He has been represented as a Whig only for the sake of preferment; in the face of the fact that he became a Whig when the party was powerless, in the State and in the Union; and of the further fact, that he could be elected to any place within the gift of the people among whom he lives.

These unmerited suspicions doubtless produced Mr. Shepard's speech. But those who suppose that he has gone over to the Van Buren party, reckon without their host, or we are egregiously mistaken. Mr. Shepard is opposed to the Administration on principle; and he has too much good sense to allow his personal griefs to swerve him from his course. We hope and believe, that neither former suspicion nor present denunciation, will induce him to follow the blighting example of Mr. Calhoun—who, because of Whig denunciations, threw himself into the arms of a party which he despised, even to loathing; and thereby lost the respect of both parties, and doubtless of himself.

26th CONGRESS—2d Session.

Owing to the great Snow Storm, which delayed many members of Congress on their way to Washington, a quorum did not appear in either House on Monday, nor on Tuesday in the Senate.

In the Senate, on Monday, neither the Vice President nor Mr. King, the President *pro tem.*, was present. The Secretary, Mr. Dickens, having ascertained that only 16 Senators were present, an adjournment immediately took place.

In the House, the Speaker and 100 members were present, (of whom only Messrs. Williams and Rayner were from North Carolina.

On Tuesday, in the Senate, the President *pro tem.* and four other Senators appeared, still wanting 6 to form a quorum.

In the House, 54 members appeared, in addition to the 100 on the day previous. (Of the N. C. Delegation, Messrs. Montgomery and Shepard.)

Messrs. Taliaferro and C. Johnson were appointed to join a Committee of the Senate, to inform the President of the organization of Congress. But, as there was no quorum in the Senate, the House adjourned.

On Wednesday, 10 more Senators appeared, forming a quorum. Mr. Clay of Ken. rose and informed the Senate that WILLIE P. MANGUM, Senator elect from the State of North Carolina, was in his seat, but that the credentials of his election having been left with his colleague, were not in the Senate. As there was no doubt of the election of Mr. Mangum, Mr. Clay moved that he be permitted to take his seat. There being no objection, the oath to support the Constitution was administered, and Mr. M. took his seat.

Messrs. Wright and Huntingdon were appointed, jointly with the House committee, to inform the President of the readiness of the two Houses to receive any communication from him. Having performed that duty, the Message was forthwith communicated. 1500 copies with the accompanying documents, and 5000 without, were ordered to be printed.

Mr. Merrick of Md., announced the death of his colleague, Mr. Spence, and moved the usual resolutions, after adopting which, the Senate adjourned.

In the House, among the Members who appeared, were Messrs. Deberry, Hill, and Stanly, of N. C.

Mr. Adams moved to rescind the rule prohibiting the reception of petitions on the subject of abolition; which rule, Mr. A. said, was a violation of the Constitution of the U. States. His motion was laid on the table, 83 to 58.

The Message was received and read, and 15,000 copies with the documents, and 5,000 without, ordered to be printed, on motion of Mr. Atherton.

On Thursday, in the Senate, Mr. Mangum presented the credentials of WILLIAM A. GRAHAM, of North Carolina, who, after being duly qualified, took his seat.

The Standing Committees were appointed by the President. They shall appear in our next.

Mr. Clay of Ala. gave notice of a bill to graduate and reduce the price of the Public Lands. And Mr. Benton, of a pre-emption bill.

The Senate adjourned to Monday.

In the House, 22 of the absentees appeared; among them, Messrs. Graham, Hawkins, McKay, Conner, and Fisher, of N. C.

Mr. Stanly moved to reconsider the order to print the Message, so as to reduce the number to 5,000 with, and 1,500 without the documents, as at the last session. Negatived, 89 to 90.

Mr. Adams moved a resolution, which was adopted after an explanatory speech from Mr. A., to appoint a committee of five to inquire into the facts relative to a fraud in the printing of the translation of a Spanish document at the last Session.

Mr. Tillinghast moved a resolution requiring the Secretary of the Treasury to inform the House in relation to the manner in which the Sub-Treasury Law has been executed. [The apparent object of this resolution seems to be, if a faithful answer can be obtained, to show that the law is a humbug, and that the business is still done, as it was before, thro' the Banks.

Mr. Morris, of Ohio, gave notice of a bill to repeal the Sub-Treasury Law.

The Annual Report of the Secretary of the Treasury on the Finances, was received.

The House adjourned to Monday.

Mr. Holleman, V.B. of the Norfolk District, in Va. has resigned his seat in Congress, in accordance with a pledge he made to do so if Gen. Harrison received a majority in his District. Mr. H. is perhaps overscrupulous. It is men like Fisher, who deceived his constituents, or the New Jersey men, who were elected by the Van Buren party in Congress, not by the people—who ought to resign.

Hon. Levi Woodbury has been elected to the Senate of the United States, by the Legislature of New Hampshire.

VIRGINIA.—The House of Delegates passed a resolution to go into the election of Senator on Monday last, but the Senate, by a *tie* vote, 16 to 16, rejected the resolution.

GEORGIA.—The Hon. John McPherson Berrien, (Whig,) has been elected Senator in Congress, for six years from the 4th of March next, in place of Mr. Lumpkin, Van, whose term expires. The vote was, for Berrien 153, M. H. McAlister 117.

Gen. Harrison, during his recent visit to Kentucky, was received with great honors at Lexington. A public Ball was given him. But what was probably more grateful to his feelings, he dined with Mr. Clay at Ashland.

The great Match Race, at Augusta, between Boston and Gano, was won by the former, with ease. The bet was $10 000, and five to one was freely offered on Boston, before the start. $20,000 has since been refused for Boston.

SOUTH CAROLINA.—John P. Richardson has been elected Governor, and Wm. K. Clowney Lieut. Governor. The vote for Governor was, for Richardson 103, Col. Hammond 47, Hannegan 8, Johnson 5.

A proposition is before the Legislature to give the people the Election of Governor and of Presidential Electors.

Messrs. Adams, Tradewell, Black and Wade, (Whigs,) have again been elected to the Legislature from Richland; the former election having been nullified because there were more votes than voters.

TEXAS.—New Orleans papers contain reports of the butchery by the Mexicans, in cold blood, of 120 Texans, who had started on a march to the City of Mexico, with the view of revolutionizing that country. Later accounts, however, state that the Texans came to life again, killed more than 400 Mexicans, and made their escape to Texas!!

THE UNKINDEST CUT OF ALL.—At the Governor's Election in August, no less than 525 votes were given in the enlightened county of Currituck for R. M. Saunderson. It was bad enough for Judge Saunders to be beaten; but that his own friends did not know his name, was a little too bad. We believe he visited that county and made a speech to the Democracy.

GEORGIA.—A bill to require the Banks to resume on the 1st February has passed both Houses; but the Senate tacked to it an amendment allowing the refusal of payment to Banks and Brokers. This renders the fate of the bill somewhat doubtful.

Gen. Harrison, we understand, is expected to leave home for Virginia the latter part of this month. He will spend the month of January with his friends in the Old Dominion, and repair to Washington in February, to be ready on the 4th of March to enter upon the duties of the important office to which the People have elevated him.

Maysville Eagle.

NEW YORK, December 3.

Letters from Philadelphia speak positively of a resumption. Stocks are therefore quickened into life, and exchange on Philadelphia declines. There can be no doubt of a general resumption in January. It is our interest, and their interest *and* honor too, to have a resumption, and a resumption we must have. It is a mistake though to suppose the U. S. Bank the only drawback. That institution, I am assured, is ready. Look out then, ye of the South and West, for a resumption on the 15th of January, and legislate and draw bills accordingly.

The Richmond Whig thus sums up the legacy of Jacksonism and Van Burenism to the American people.

1. A Bankrupt Treasury. 2. An insolvent Post Office. 3. A six years war with 400 Indians and their Squaws. 4. A new national debt of from 20 to 30 millions of dollars.

NOTICE is hereby given, that at the last Term of the Court of Pleas and Quarter Sessions of the County of Cumberland, the Subscriber qualified as Administrator on the Estate of the late William Nott. All persons having claims against said Estate are hereby notified to present them within the time prescribed by law, and all persons indebted to said Estate, to make immediate payment, as indulgence cannot be given.

JOHN D. STARR, *Adm'r.*

December 15, 1840. 28tf

FURTHER NOTICE.

THE valuable Stock of Goods belonging to the late firm of Nott & Starr, will be sold at Public Auction on Monday, the 11th day of January, 1841, at their late stand, on a credit for all sums over one hundred dollars, of six months, for notes with approved security, payable at Bank.

JOHN D. STARR, *Surviving Partner.*

Dec. 15, 1840.

NOTICE.

THE late Firm of Nott & Starr being dissolved by the death of Mr. William Nott, of said firm, Notice is hereby given by the Subscriber, as Surviving Partner, to all persons having claims against the said firm, to present them for payment; and to all persons indebted to them, whose notes and accounts are due, that immediate payment is required, as the business of the firm must now be closed according to Law. JOHN D. STARR, *Surviving Partner.*

Fayetteville, Dec. 13, 1840. 28-tf

POSTSCRIPT.

RALEIGH, Monday, Dec. 14.

To E. J. Hale, Esq.—The Legislature to-day elected on the first trial, W. R. Gales of Raleigh, B. S. Gaither of Burke, J. C. Williams of Cumberland, Jonathan Worth of Randolph, Cadwallader Jones, Jr. of Orange, P. H. Winston of Anson, B. F. Moore of Halifax, and G. C. Mendenhall of Guilford, to fill eight vacancies in the Board of Trustees of the University; a despatch of business not often accomplished in Legislative Halls. Very little business was done in the Commons besides the election.

In the Senate, Mr. Waddell of Orange introduced sundry resolutions expressive of legislative opinion in regard to Internal Improvement, and in favor of the relief of the Raleigh & Gaston and Raleigh & Wilmington Rail Roads, and constructing a Turnpike westwardly from this place. It was laid on the table, ordered to be printed, and made the order of the day for Wednesday next. No other measure of importance was brought before the Senate. The Election for Judges will I think come on to morrow—none yet in nomination but the present incumbents.

The President's Message has reached us, and it appears that it is in consonance with the course he has pursued, beginning with sentiments of gratitude for health, plenty and peace, and ending in the "dens of iniquity."

After our paper was put to press, we received a long letter from our correspondent at Washington. Nothing politically important.

Old Cheraw Bank.—Bills of this broken and defunct bank are now put into circulation. We have repeatedly heard of them in different parts of the country. They are of the denominations of $2, $5, $10 and perhaps others; and signed G. T. Hearsy President, *Richard Maynard* Cashier. The present Bank at Cheraw is not called the *Cheraw Bank* but the *Merchants' Bank of South Carolina, at Cheraw.* All its bills bear the signature of J. C. Coit or J. Wright, as President; and either H. Hutcheson, or W. Godfrey, as Cashier.

Cheraw Gazette.

Election Joke.—At the late election in this city, an old and well known gentleman presented himself at the window where he had voted for twenty years. His vote was challenged by a young whipper-snapper who officiated, and who knew that the old gentleman differed in politics with him.

"It is necessary for you to swear that you have lived in this ward more than ten days," said the challenger.

"Why, *you* know that I have," replied the voter, "for more than a year ago you came to my shop and purchased the hat you have on, and have never paid for it yet."—*Saturday Chronicle.*

MARRIED,

In Anson county, on Thursday, the 3d instant, by the Rev. A. B. Smith, Capt. G. W. MEACHAM to ELEANOR F. SMITH, daughter of Jas. Smith, Esq.

In Richmond county, on Thursday, the 3d inst., by the Rev. Mr. Potter, Mr. HEZEKIAH BILLINGSLEY, of Montgomery county, to Miss LUCY DUMAS, of Richmond.

DIED,

In Raleigh, after a lingering illness, Col. HENRY H. COOK, one of the oldest residents of that city.

Recently, at Little Rock, Arkansas, Mrs. HARRIET ANTHONY, wife of Mr. Anthony of Little Rock, and daughter of the late Dr. Levi Borden, of Duplin county, N. C.

NOTICE.—If the challenge given by the Fox Hunting Club is accepted, a Silver Cup will be awarded to the winning party.

SECRETARY OF CLUB.

NEW GOODS.

W. McINTYRE is receiving from the North, and offers for sale, an assortment of

DRY GOODS,

Consisting of Superfine Cloths, Cassimeres, Sattinets, Kentucky Jeans, strong Twilled Kerseys, Beaver and Pilot Cloths, double milled drab Cloths, Blankets, Flannels, Merinos, Shawls, Handkerchiefs, Vesting, Diapers, Irish Linen, Shirting and Sheeting, Calicoes, Muslins, Muslin-de-Lains, Ribbons, Wool Hats, fine Hats, Seal and Plush Caps, Straw and Florence Braid Bonnets and Hoods, BOOTS, SHOES and PUMPS, Hardware, Carpenters' and Blacksmiths' Tools, Knives and Forks, Pocket Knives, Trace Chains, Spades and Shovels, Frying Pans, Tea Kettles, Cut Nails, Steel and Bar Iron, Collins' Axes, Whittemore's Cotton and Wool Cards, Groceries, Loaf Sugars, Teas, Nutmegs, Cloves, Raisins, Figs, Seine Twine and Rope, Bar Lead, Shot, Dupont's Powder, Crockery Ware, edged and painted Plates, printed Teas, &c.

December 16, 1840. 28-6w

Administrator's Sale.

WILL be sold at Auction, on the 11th of January next, in front of the premises, that desirable STORE HOUSE on Green Street, lately occupied by B. Beach, dec'd. Terms, 6 months credit.

JOHN H. COOK, *Adm'r.*

Dec. 16, 1840. 28-ts.

PASS THEM UP.

ALL persons having Books belonging to the Franklin Library Society, will please return them to DANIEL JOHNSON.

Fayetteville, Dec. 16, 1840. 28-tf.

AMERICAN ALMANAC—1841.

ALSO, Boston Book; Mercides, a Romance of the days of Columbus, by Cooper; The Budget of the Bubble Family, by Lady Bulwer; The Remember Me; The Table of the Lord; Missouri Harmony; and a variety of School Books. Just rec'd.

Dec. 16. E. J. HALE.

NEGRO SALE.

THE undersigned having been appointed Commissioners to sell the Slaves belonging to the Estate of Duncan McBryde, deceased, will, on the 6th day of January next, expose to sale, at the residence of Malcom McBryde, near Randalsville, Robeson County, N. Carolina,

SIX LIKELY NEGROES,

To-wit: two Women, three Boys between the ages of 12 and 18, and one Girl about 12 years of age.

Credit, six months,—purchasers giving bond with approved security.

M. McBRYDE, } *Comm'rs.*
D. A. McARN, }

December 8, 1840. 28-3w

25,000 Cypress Shingles,

WARRANTED EVERY ONE GOOD. For sale by

C. J. & R. M. ORRELL.

Dec. 15, 1840. 28tf

LAND SALE.

BY DECREE OF THE COURT OF EQUITY.

I WILL sell at Public Auction, at the Court House door in Fayetteville, on Monday, the 4th day of February next, the following valuable REAL ESTATE, viz:

1 Lot, with its improvements, on Hay Street, joining Baxter's.

1 Lot, improved, on Hillsborough Street, joining Carmon's.

1 do., unimproved, joining Carmon's.

850 acres of Land on Cross Creek, joining L. D. Henry, John Huske, and others.

The above lots will be sold on a credit of six months, the purchaser giving bonds, with approved security. ARCH'D A. T. SMITH, *Clerk and Master.*

Fayetteville, Dec. 15, 1840. 28-ts.

NEW FIRM.

THE Subscribers having formed a connection, will continue the business at the old stand of C. J. Orrell, under the firm and style of

C. J. & R. M. ORRELL,

Who will keep constantly on hand a well assorted Stock of

GROCERIES,

Which will be sold low for Cash or Country Produce.

They will also give their undivided attention to a GENERAL COMMISSION AND AGENCY BUSINESS, the receiving and forwarding Goods, receiving and making sale of Country Produce, &c.

COVINGTON J. ORRELL,
ROBERT M. ORRELL.

Fayetteville, August 24, 1840. 12tf

Notice.

ALL those having claims against C. J. Orrell, are requested to present them for settlement, and those indebted to him are requested to make immediate payment, as longer indulgence cannot be given.

C. J. ORRELL.

August 24, 1840.

A Card.

THE Subscriber begs leave to return his sincere thanks to his long tried and faithful customers, and introduce to them the new firm of C. J. & R. M. Orrell, who are determined to limit themselves to a certain number of customers, that have hitherto been prompt in payment, and who shall in future receive prompt attention to their business and interest.

C. J. ORRELL.

Fayetteville, August 24, 1840.

NEW GOODS.

JOHN McARN

IS now receiving a large Stock of DRY GOODS, consisting of Broad Cloths, Sattinets, Flannels, Linseys, Keiseys, Brown Linens, Linen Sheetings, Muslins-de-Laines, Fancy Prints.

Also, a large stock of HATS, amongst which are Moleskin Hats of the first quality, black and white Russia Hats, first quality; also, Palm Leaf Hats, Straw Bonnets and Hoods, &c. Also, Shoes and Boots, Hardware and Cutlery, Sugar and Coffee, &c.

The above Goods having been bought mostly at the latest Auction Sales in New York, and for Cash, will be sold very cheap.

JOHN McARN.

July 14, 1840. 6tf

Daily Mail to Warsaw.

On and after the 1st day of June, 1840, the Mail Stage to and from Warsaw, will run daily, connecting with the Rail Road Cars. The Subscribers hope that this additional accommodation will merit public approval and patronage.

BAKER & BLOCKER, *Proprietors.*

Fayetteville, May 25, 1840. 99tf

HOLBROOK'S BELLS.

For Churches, Manufactories, Plantations, &c.

HOLBROOKS', the most celebrated Bell Founders in this country, having made arrangements with the Subscriber to receive and execute all orders for their Bells of any size, to 2,500 lbs., which they will warrant of the very best sound and quality, not surpassed by any Bells in this country. Also, Town Clocks, Church and Parlour Organs, of superior finish and tones. Orders received and information given by

JAMES MARTINE.

N. B. They will warrant their Bells, and should any fail to give satisfaction, they may be exchanged for another. Also Old Bells recast.

Fayetteville, October 20. 50-tf

Notice.

THE Subscribers having qualified as Executors to the last Will and Testament of James Hart at June Term of Cumberland County Court, 1840, hereby notify all persons indebted to the said Estate, to make immediate payment, and all persons having claims against said Estate, to present them within the time prescribed by law, or this notice will be plead in bar of a recovery.

J. H. HOOPER,
ELIJAH FULLER.

Fayetteville, June 9, 1840. 1-tf

DR. G. R. PHELPS' COMPOUND

TOMATO PILLS,

(ENTIRELY VEGETABLE,)

A new and valuable remedy for all diseases arising from impurities of the Blood, Morbid Secretions of the Liver and Stomach;

Also, a substitute for Calomel, as a Cathartic in Fevers, and all Bilious diseases, and for ordinary Family Physic.

THIS popular Medicine, which has received such general approbation as a remedy for Dyspepsia, Bilious and Acid Stomachs, Jaundice, Heartburn, Costiveness, Headache, &c. &c., and which is now prescribed by many of the most respectable Physicians, is for sale at the Fayetteville Book Store.

March 8, 1839. 36tf

SWAIM'S VERMIFUGE,

THE MOST USEFUL FAMILY MEDICINE EVER OFFERED TO THE PUBLIC.

THIS well known *Anti-Dysenteric* and *Worm Medicine* has proved successful these twelve years past, and is universally acknowledged by all who have tried it, to be far superior to any other medicine ever employed in the diseases for which it is recommended. It is perfectly safe, and no child will refuse to take it.

Worms being especially apt to infest persons of debilitated digestive organs and emaciated constitutions, much mischief is often done by the ordinary worm medicines, which generally consist of the strongest purgatives, calomel, *that destroyer of the constitution*, bitters, pink root, spirits of turpentine, wormseed oil, &c. &c. Articles of this kind may destroy worms, but they debilitate the stomach, and often materially injure the general health, without removing the cause. SWAIM'S VERMIFUGE has the peculiar advantage of removing the cause of worms, by giving vigor and healthy action to the stomach, bowels, and organs of digestion, thereby relieving measles, croup, whooping cough, &c. This medicine, by invigorating the internal functions, strengthening the organs of digestion, and removing the primary cause which creates morbid secretions, will relieve Bowel Complaints, Cholic, Dysentery, Dyspepsia, and the whole train of biliary affections, Sick Headach, Acidity of the Stomach, Foul Breath, Bleeding Piles, &c. It is an antidote in the *early stages of Fever and Cholera Morbus*. As a general FAMILY MEDICINE it stands unrivalled, as it is applicable to most of the diseases to which children are subject. SWAIM'S VERMIFUGE will be found of some utility to persons who occasionally indulge in the conviviality of the table; a dose taken before dinner will anticipate the effects of *acidity* of the stomach, not unfrequently produced by *wine*.—In the neglect of this, however, a dose in the morning or the following morning will, in most instances, restore the *tone of the Stomach*.

Families resident in the country, and isolated in a measure from medical advice, travellers journeying to the far west, or bound to distant ports, seminaries and all public institutions and charitable associations will find this remedy, constantly at hand, of great utility.

Prepared at SWAIM'S LABORATORY, Philadelphia. HENRY JOHN SHARPE, *General Agent*, No. 46 Pine Street, New York; and sold by every Druggist in the United States.

WM. SWAIM & SON.

NEW GOODS.

WE have received and opened our FALL AND WINTER GOODS, which comprises a arge and extensive assortment of

DRY GOODS,
HARDWARE & CUTLERY,
Boots and Shoes, Fur and Wool Hats, Fur and Seal Caps, Cotton and Wool Cards, Tuscan and plain Straw Bonnets, Writing, Letter and Wrapping Paper, Drugs and Patent Medicines.

Also,

10 HHDS. PORTO RICO SUGAR,
80 bags Rio Coffee,
30 boxes Raisins,
Loaf and Lump Sugar,
Collins' and King's Axes,
5 hhds. Crockery,
75 kegs Nails,
50 sides Sole Leather,

Which are offered at very low prices for CASH, or on time for approved paper.

NOTT & STARR.

November 19, 1839. 72tf

For Sale.

5 BALES heavy unbleached Shirting, suitable for Negroes
50 Casks Lime.

JOHN HUSKE & SON.

Oct. 6, 1840. 18-tf.

Notice.

THE CO-PARTNERSHIP heretofore existing between the Subscribers, was dissolved the 24th ult. by mutual consent.

C. J. ORRELL,
D. A. RAY.

Fayetteville, Sept. 8, 1840. 14-tf.

For Sale.

AN elegant SORREL MARE, 4 years old, broke to the Harness.

C. J. & R. M. ORRELL.

September 1, 1840.

Loco Foco Friction Matches.

50 GROSS Holmes' improved FRICTION MATCHES, just received and for sale by the gross or dozen,—a superior article and warranted. Apply to JAMES MARTINE.

A constant supply of the above kept on hand, and will be sold low to sell again.

Fayetteville, Sept. 5, 1840. 14tf

Swaim's Justice,

PREPARED expressly for the use of Justices of the Peace, and other Public Officers in North Carolina, containing, in addition to a summary of the Statute and Common Law, all the most approved FORMS and Precedents. For sale by

E. J. HALE.

Gray's Ointment,

FOR the cure of White Swellings, Scrofula and other Tumours, Sore Legs and Ulcers, old and fresh wounds, Sprains and Bruises, Swellings and Inflammations, Scalds and Burns, Scald Head, Rheumatic Pains, Chilblains, Tetters, Eruptions, Whitlows, Biles, and external diseases generally. A fresh supply of this Invaluable Medicine just received at the Fayetteville Book Store.

NEW GOODS.

I HAVE received by the late arrivals a LARGE AND GENERAL ASSORTMENT of

DRY GOODS,

Suitable for the present and approaching Season,—a large supply of

GROCERIES, HARDWARE, Hats, Boots and Shoes,

A beautiful assortment of

CROCKERY,

Embracing sets of China, white Queen's Ware, (a new article,) Liverpool Ware, different patterns and colours. Also, common Crockery, Winter Strained Lamp Oil, Linseed and Tanners' Oil, extra and No. 1 White Lead, Sole and Upper Leather.

H. LEETE,
Green Street.

November 19, 1839. 72tf

NEW *Auction and Commission Store,*

WILMINGTON, N. C.

THE Subscriber, having been appointed one of the Auctioneers of the Town of Wilmington, offers his services to his friends and the public. Having been engaged in the business for a number of years, he feels confident of giving entire satisfaction to those who may confide their business in his hands.

THOS. SANDFORD.

REFER TO,

Messrs. Barry & Bryant, } *Wilmington.*
" Dickinson & Morris, }
" E. L. & W. Winslow, } *Fayetteville.*
" Yarbrough & Ray, }
" W. A. Caldwell & Sons, *Charleston.*
" Allibone & Troubat, *Philadelphia.*
James J. Treadwell, Esq., *New York.*

Sept. 18, 1839. 63-tf.

SWAIM'S PANACEA,

For the cure of Scrofula or King's Evil, Rheumatism, Ulcerous Sores, Syphilis, and the host of painful and hitherto incurable affections resulting therefrom;

White Swellings, Diseases of the Liver and Skin, General Debility, &c., and all Diseases arising from Impurity of the Blood.

THIS MEDICINE is particularly recommended as an *alterative* and a *purifier of the Blood*. It gives a *tone and vigor to debilitated Constitutions*, which invalids are unconscious of until they have experienced its effects.

It is also recommended in Diseases where the Lungs and Breast are supposed to be affected, and also where the constitution is broken down by the use of Mercury or Quinine.

The SWAIM'S PANACEA is an accredited antidote to the *diseases peculiar to tropical latitudes*. It is made use of on *all plantations*, and produces a speedier, a *more certain* and *less expensive* medium of perfect restoration, than any other medicine hitherto known or employed.

This medicine has the singular fortune, a just tribute to its great merit, of being *recommended by the most celebrated practitioners of medicine in the United States and Europe;* whereas, not one of the spurious mixtures made in imitation of it has the least support from the medical faculty. This fact offers an argument so plain and conclusive, that it needs only to be mentioned to enforce conviction.—Swaim's Panacea is recommended to all those invalids for whom physicians prescribe Sarsaparilla, Syrups, Extracts, &c.

Swaim's Panacea is in round bottles, fluted longitudinally, with the following words blown in the glass—"Swaim's Panacea—Phila," having but one label, which covers the cork, with the signature of Wm. Swaim on it, so that the cork, (bearing also upon it as a seal the impression "Wm. Swaim,") cannot be drawn without destroying the signature, without which none is genuine. The medicine may consequently be known to be genuine when the signature is visible, to counterfeit it will be punished as forgery.

Prepared at SWAIM'S LABORATORY, Philadelphia. HENRY JOHN SHARPE, *General Agent*, No. 46 Pine Street, New York; and sold by every Druggist in the United States.

WM. SWAIM & SON.

J. & J. KYLE

HAVE just received by the late arrivals from the North, a large and splendid assortment of

DRY GOODS,

Among which are:

Superfine blue, black, and assorted colored Cloths and Cassimeres, Sattinets, Vestings, Merinos, Muslin-de-Lanes, Challys, black and colored Silks, plain and figured, black Bombazines, Rose and Point Blankets, and Negro Cloths, 1575 pieces Calico, very cheap, 3-4, 4-4, 5-4 and 6-4 bleached and brown Shirtings and Sheetings, and Anker Bolting Cloths, with many other articles,—all of which being bought at the lowest package price, is offered CHEAP FOR CASH, or to punctual customers on the usual time.

September 10, 1840. 15-tf

FEMALE SCHOOL,

FAYETTEVILLE.

MISS MALLETT, with the assistance of competent Teachers, will open a School on the 15th of October, at her residence on Gillespie street, in which, with the ordinary branches of English Education, will be taught the Latin and French Languages, Music, Drawing and Painting. No exertion shall be wanting for the improvement of Pupils in moral deportment as well as literary instruction.

Miss Mallett has succeeded in engaging the services of Mrs. Ashe, whose qualifications and experience as a Music teacher are well known.

The year will commence the 15th of October and close the 15th of August.

TERMS—IN ADVANCE

Elementary Department,	$8	per Session.
Second Class,	12	" "
First Class,	16	" "
French Language,	10	" "
Drawing and Painting,	10	" "
Music on Piano Forte, accompanied by the voice,	25	" "
Music on Guitar,	25	" "
Fancy work,	3	" "
Use of Piano for practising,	2	" "

September 16, 1840. 98tf

Cape Fear Bank Stock

FOR SALE.

SIXTY Shares of Cape Fear Bank Stock for sale. For particulars, apply at this Office.

June 2, 1840.

Auction and Commission Business.

THE Subscriber having had considerable experience in the above business, offers his services to his friends and the public as a general AUCTION AND COMMISSION AGENT.

All orders left at his office on Person Street, 1 door West of Bank of Cape Fear, will be attended to.

AMOS KIMBALL.

Nov. 5, 1839. 70-tf.

$200 Reward,

FOR a negro man named BRADLEY. He is stout made, weighs 160 or 170 lbs., 22 years old, 5 feet 5 or 6 inches high, bushy head, and by close examination you may discover a small scar on his under lip, not larger than a grain of wheat. Said boy was raised in Cumberland county, N. C., and was taken by his young master to Lowndes county, Ala., and there sold to a man by the name of Garey. This is the boy's statement. I will give the above reward for him. He left me on the 22d June last.

GIDEON RIGGS.

Riggs' Cross Roads, Williamson county, Tenn., 7tf
July 4, 1840.

Executor's Sale.

THE Subscribers, as Executors of the last will and testament of James Hart, dec'd, will sell to the highest bidder, on Tuesday, the 5th day of January, 1841, at the Market-house in Fayetteville, the following valuable property, viz:

12 Shares Cape Fear Bank Stock.
5 likely Negroes, consisting of three women, one man, and one boy.

—ALSO—

An elegant **SOFA**, with several other articles of Household Furniture.

A credit of six months will be given on all sums of *five dollars* and upwards, the purchaser giving bond, with approved security.

JAMES H. HOOPER, } *Executors.*
ELIJAH FULLER, }

Fayetteville, Nov. 18, 1840. 25-ts

FOR SALE,

TWINE Honey Dew Chewing TOBACCO, Superior Havana CIGARS, and Tobacco cut fine and put up for smoking. Call and see it; I sell low for Cash.

J. E. PATTERSON.

October 29, 1840. 12tf

Piano Fortes.

A GOOD ASSORTMENT of Piano Fortes may constantly be found for sale at the Female Seminary. Inquire of the Principal of the Seminary, or of Col. S. T. Hawley.

August 1, 1840. 9tf

Superior Mountain Butter.

THE Subscribers have just received a VERY SUPERIOR LOT OF BUTTER, from Grayson County, Virginia, which will be sold at a very small advance.

C. J. & R. M. ORRELL.

October 27, 1840. 21tf

Notice.

THE SUBSCRIBER, Administrator of William Bryan, hereby gives notice to the distributees and next of kin to said William Bryan, that he is ready and prepared to pay over to each and all said distributees and next of kin, the portion or portions to which they are respectively entitled, and that he will not be liable for interest after this date.

NATHAN BRYAN,
Adm'r of Wm. Bryan.

Bladen county, N. C., Nov. 3, 1840. 23-3m.

To close Assignment.

ON FRIDAY, November 6th, according to assignment to me made by Wm. S. Latta, bearing date August 31st, 1838, (said property having been under a previous mortgage,) the following Property will be sold:—The Household and Kitchen Furniture of said Latta, and still in his possession. Also, Saturday, Nov. 7th, at the Plantation 4 miles from town, called the Toomer place, the stock of Hogs and Cows thereon; also, one horse. Also, the said Latta's interest and title in and to the said Plantation. Also, the farming utensils thereon.

Terms liberal and made known on the days of sale.

SAM'L W. TILLINGHAST, *Auct'r.*

September 1, 1840. 13tf

☞ The above sale is postponed until the 22d and 23d of January next.

S. W. TILLINGHAST, *Trustee.*

State of North Carolina,

ANSON COUNTY.

Court of Pleas and Quarter Sessions, October Term, 1840.

Christopher McRae and wife, Ext'q'd A. McRae and wife, *vs.* the heirs at law of Kenneth McRae.

PETITION FOR PARTITION.

IT appearing to the satisfaction of the Court, that the heirs at law of Kenneth McRae, whose names are unknown, are not inhabitants of this State: It is ordered by the Court, that publication be made in the Fayetteville Observer for six weeks, of the pendency of this suit, for said heirs to appear at the next term of this Court, to be held for the county of Anson, at the Court House in the town of Wadesborough, on the second Monday in January next, then and there to plead, answer, or demur, the petitioners petition, or judgment pro confesso will be entered against them, and the case set down to be heard ex parte as to them.

Witness, Norfleet D. Boggan, Clerk of our said Court, at office, the second Monday of October, A. D. 1840.

N. D. BOGGAN, *C. C. C.*

GEORGIA INSURANCE AND TRUST COMPANY.

At Augusta.

CAPITAL, ONE MILLION OF DOLLARS,

Of which $627.000 is paid in, and invested in Bank Stocks, and the balance in a course of payment, by monthly instalments.

THE undersigned as agents of the above Company, will insure Houses and Goods against loss by fire, in any part of this State, and will also take river risks between Fayetteville and Wilmington and any port on the coast.

STARK & PEARCE.

Fayetteville, Sept. 12, 1837. 58tf

An highly important caution to the Public.

"Cave ne titubes."—Beware of falling.

DOCTOR EVANS, 100 Chatham street, takes the present opportunity of tendering his most unfeigned acknowledgments to the numerous patients (afflicted with the various form of disease incident to humanity) who have committed themselves to his care, and he has the satisfaction of knowing from many living evidences, that his remedies have removed or relieved their respective maladies, as far as lies within the compass of human means. How distressing to the afflicted is DYSPEPSIA OR INDIGESTION, poisoning all the sources of his enjoyment, and leading in many instances to the miseries of hypochondriacism. Long as it has been made the subject of inquiry by medical authors, it remains involved in much obscurity. *Jaundice, Diarrhœa,* Cholera and Colic, also performs a conspicuous part in the drama of morbid affections. Dr. Evans has been singularly successful in the treatment of the above complaints by remedies drawn from the researches of the most eminent physicians in Europe. He has also had vast experience and success throughout the whole family of delicate diseases, all of which are for the most part aggravated by, and rooted in the constitution, by the CONSPIRACIES OF MERCURIAL MURDERERS, UNPRINCIPLED, UNEDUCATED AND UNPRACTISED in any art save that of attempting to lead the credulous on the road to ruin. Dr. Evans' Office is supplied with the choicest remedies from foreign markets, and compounded on the most scientific principles; a physician is always in attendance, and all those who come there in the hour of need will go off rejoicing.

Dr. Wm. Evans' Medical Office, 100 Chatham Street, New York.

A PERFECT CURE OF ASTHMA, FIFTY FOUR YEARS STANDING,

Effected by the treatment of Dr. Wm. Evans.

This is to certify, that I was attacked with the Asthma in the ninth year of my age, and from that time until the present year, a period of 54 years, I have been subject to that disease. For the last five years, I had it almost incessantly—not being exempt from it more than two or three hours at any one time. I had consulted the most skilful physicians, and tried many remedies without any relief. In June last, I commenced using Dr. Wm. Evans' Vegetable Medicine, not with the expectation of effecting a cure, for I believed my case hopeless and my dissolution near, but with the hope of obtaining momentary relief.—Before I had used two packages, I was entirely relieved, and I have not been attacked with it since. I can now say that I am permanently cured of the disease, and I can confidently recommend it to all who are afflicted with this distressing complaint.

SARAH SIMMONS,
Prince George Co., Va.

Nov. 16.

LIVER COMPLAINT, 10 YEARS' STANDING.

Mrs. Hannah Browne, wife of Joseph Browne, North Sixth street, Williamsburg, afflicted the last ten years with the Liver Complaint, completely restored to health through the treatment of Dr. Wm. Evans. Symptoms—Habitual constipation of the bowels, total loss of appetite, excruciating pain of the epigastric region, great depression of spirits, languor, and other symptoms of extreme debility, disturbed sleep, inordinate flow of the menses, pain in the right side, could not lie on her left side without an aggravation of the pain, urine high coloured, with other symptoms indicating great derangement in the functions of the liver.

Mrs. Browne was attended by three of the first physicians, but received but little relief from their medicine, till Mr. Browne procured some of Dr. Wm. Evans' invaluable preparations, which effectually relieved her of the above distressing symptoms, with others, which it is not so essential to intimate.

JOSEPH BROWNE.

City and County of New York, ss:

Joseph Browne, Williamsburg, Long Island, being duly sworn, did depose and say that the facts as set forth in the within statement, to which he has subscribed his name, are just and true.

JOSEPH BROWNE.

Sworn to before me, this 8th day of January, 1837.

PETER PINCKNEY, *Com. of Deeds.*

Another recent test of the unrivalled virtue of Dr. Wm. Evans' Medicines.

DYSPEPSIA, 10 YEARS' STANDING.

Mr. J. McKenzie, 176 Stanton street, was afflicted with the above complaint for 10 years, which incapacitated him at intervals, for the period of six years, in attending to his business, restored to perfect health, under the treatment of Dr. Wm. Evans.

The principal symptoms were—A sense of distention and oppression after eating, distressing pain in the pit of the stomach, nausea, impaired appetite, giddiness, palpitation of the heart, great debility and emaciation, depression of spirits, disturbed rest, sometimes a bilious vomiting and pain in the right side, an extreme degree of languor and faintness, any endeavor to pursue his business, causing immediate exhaustion and weariness.

Mr. McKenzie is daily attending his business, and none of the above symptoms have recurred since he used the medicine. He is now a strong and healthy man.

He resorted to myriads of remedies, but they were all ineffectual. He is willing to give any information to the afflicted respecting the inestimable benefit rendered to him by the use of Dr. Wm. Evans' medicine.

REMARKABLE CASE OF ACUTE RHEUMATISM, with an Affection of the Lungs, cured under the treatment of Dr. Wm. Evans, 100 Chatham street, New York.

Mr. Benjamin S. Jarvis, 13 Centre st., Newark, N. J., afflicted for four years with severe pains in all his joints, which were always increased on the slightest motion, the tongue preserved a steady whiteness; loss of appetite, dizziness in his head, the bowels commonly very costive, the urine high coloured, and often profuse sweating, unattended by relief. The above symptoms were also attended with considerable difficulty of breathing, with a sense of tightness across the chest, likewise a great want of due energy in the nervous system.

The above symptoms were entirely removed, and a cure effected by Dr. Wm. Evans.

BENJ S. JARVIS.

Sworn to, November 25, 1836, before William Saul, Notary Public, 96 Nassau street, New York.

A SEVERE CASE OF PILES CURED AT 100 CHATHAM STREET.

Mr. Daniel Spinning of Shrewsbury, Eden Town, New Jersey, was severely afflicted with Piles for more than 20 years. Had had recourse to medicines of almost every description, also the advice of several eminent Physicians, but never found th slightest relief from any source whatever, until after he called on Dr. Evans, of 100 Chatham street, New York, and procured some medicine from him, from which he found immediate relief, and subsequently a perfect cure

Also, Dr. W. Evans' SOOTHING SIRUP, for Children Teething, prepared by himself.

AGENTS.

E. J. HALE, Fayetteville, North Carolina,
Wm. M. Mason, Raleigh,
H. D. Machen, Washington,
James M. Redmund, Tarborough,
S. Hall, Newbern,
F. S. Marshall, Halifax,
Sportwood & Robertson, Petersburg, Va.,
C. Hall, Norfolk, and
A. Duval, Richmond.

January 1, 1839. 26-cow1Y

For Sale,

1000 SACKS LIVERPOOL SALT,
15 tons Swedes and English Iron,
100 kegs Cut Nails, 3d to 40d,
75 bags prime Rio Coffee,
10 do. old Java ditto,
10 hhds. Sugar, assorted,
10 bbls. Loaf and Lump Sugar,
10 hhds. Molasses,
10 casks Ground Plaster
5 bbls. Calcined ditto,
25 pieces Hemp Bagging,
25 coils Bale Rope,
10 coils Cordage, 2½ to 4½ inches,
40 boxes 8 x 10 and 10 x 12 Glass,
2 barrels Putty, in bladders,
100 kegs White Lead, in Oil,
20 do. Black Lead, in Oil,
A general assortment of Paint and Paint Brushes,
1 chest Black Tea,
15 boxes Brown Soap,
500 lbs. Bar Lead,
3 casks London Porter,
15 quarter casks Wine,—Madeira, Sicily Madeira, Teneriffe, Sherry & Malaga,
6 boxes (2 dozen) fine old Madeira Wine, (Ceylon brand,)
1 cask *Red* Clover Seed,
2 tons Castings, Pots, Ovens, Skillets and Fire Dogs,
4 pieces superfine Ingrain Carpeting and Hearth Rugs, and a general assortment of DRY GOODS, HARDWARE and CUTLERY.

J. HUSKE & SON.

Sept. 23, 1840. 16tf

FAYETTEVILLE FEMALE SEMINARY.

HAVING declined further supervision of the Female Seminary, it is but just that I should express to its former patrons and friends my confidence, that in the hands of Mr. Spencer, it will be conducted with ability and faithfulness, on the general plan heretofore pursued. Mr. Spencer, as a teacher, is laborious, accurate and persevering.

R. W. BAILEY.

THE Subscriber will open the Seminary on the 15th of October next, and hopes by giving his entire and exclusive attention to the business—aided in each department by competent, efficient Female Teachers—to merit the patronage heretofore bestowed. In regard to the plan he intends to pursue, he has only to say, at present, that he is DETERMINED to give a course of instruction in each department as THOROUGH as possible. The Academic year will be the same as before; commencing on the 15th October, and closing on the 15th July, and divided into two sessions. Pupils charged from time of entrance to close of session, and no deduction made for absence, except in cases of sickness.

TERMS—IN ADVANCE.

Elementary Department, or Second Class,	$8 00	per Session.
First Class,	16 00	"
French Language,	10 00	"
Drawing and Painting,	10 00	"
Music on the Piano Forte, accompanied by the voice,	25 00	"
Music on Guitar,	25 00	"
Use of Piano,	3 00	"
Incidentals,	50	"

G. SPENCER.

August 1, 1840. 9tf

FAYETTEVILLE FEMALE SEMINARY.

MR. & MRS. SPENCER are now happy to announce to the citizens of Fayetteville and vicinity, that they have been successful in securing the able services of Miss M. A. Dickinson, in the Music and French department of the above Seminary. Miss D. has been an able and accomplished teacher for the last three years, in a variety of the ornamental branches, including Music on the Piano, accompanied by the voice, French, Drawing, Ornamental Needle work, &c. As to her competency in Music, we refer to the statement below, of Mr. Brown, Professor and Teacher of Music, New Haven, Con. In French, she is a superior scholar,—speaks it with perfect ease and fluency.

"NEW HAVEN, Aug. 31, 1840.

"*Dear Sir.* In reply to your note of this date, I have to say, that I have been acquainted with Miss Mary Ann Dickinson for the last three years. She has taught music in this city, during that time, to the *universal acceptance* and *satisfaction* (so far as I have heard) of her numerous pupils. I consider her to be a lady of good mind, apt to teach, urbane in her manners, and well acquainted with music, particularly with the Piano Forte. I am happy to hear that you have succeeded in securing the able services of Miss Dickinson, and hope and believe that she will prove a valuable acquisition to your Seminary.

"Accept, dear sir, &c.,

"ALLING BROWN,
"*Prof. and Teacher of Music, New Haven, Ct.*"

As to the English Department, we shall furnish a *thorough and complete* course of instruction, from the elementary lessons of childhood to the higher branches of Literature and Science adapted to the mature scholar. Well aware of his responsibility for the successful improvement of each pupil, the Principal will take every class in this Department, to the utmost possible extent, under his *direct and personal care.* In addition to the use of Globes and illustrations heretofore used, there will be connected with the Seminary this year a competent set of apparatus, comprising the whole set invented by Mr. Holbrook, of Boston, together with extensive additions, by means of which we shall elucidate the principles of Arithmetic, Geography, Geometry, Astronomy, Natural Philosophy and Chemistry. For the satisfaction of parents and friends, a weekly report of the recitations and department of pupils will be made out and sent to them; and as this is regarded as a very important stimulus to effort, we hope parents and friends will take a particular interest in them. The same building will be used for the School as heretofore, and the same arrangements are made for boarding.

G. SPENCER, *Principal.*

September 5, 1840. 14tf

French Burr Mill Stones For Wheat, and Cologne Stones for Corn.

HAVING been appointed Agent for the sale of the above Mill Stones in this State, by Messrs. Egenton & Morris, Manufacturers, of Baltimore, I would here inform those wanting the same, that they can be furnished by sending their orders to me at this place. We *warrant* the article to be *genuine;* if it is not, we furnish a new pair in their stead.

C. J. & R. M. ORRELL,
Brick Buildings, Hay Street.

Fayetteville, Sept. 1, 1840. 13tf

HARRISON'S SPECIFIC OINTMENT,

FOR the cure of White Swellings, Scrofulous and other Tumours, Ulcers, Sore Legs, old and fresh Wounds, Sprains and Bruises, Swellings and Inflammation, Scald Head, Women's sore Breasts, Rheumatic Pains, Piles, Tetters, Eruptions, Chilblains, Whitlows, Biles, Corns, and External Diseases generally. It is likewise greatly superior to any medicine heretofore discovered for the chafed backs and limbs of Horses; for ring worms, chapped lips, and in short for every external bodily evil that may fall to the lot of man and beast. Altogether the proprietor feels no hesitation in stating, or in putting it to the proof against all competition, that

Harrison's Specific Ointment

Is vastly superior to every thing of the kind which has heretofore been offered to the public; and the proprietor not only vouches for its *general* good qualities, but is willing to risk his reputation on a *single trial*, for he knows, from the most ample experience, that it cannot be used without immediate and palpable benefit in any one of the complaints for which it is so highly recommended.

Price, 50 cents per box.

☞ For sale at the Fayetteville Book Store.

May 1, 1840. 95-1Y

Fayetteville Water Works

THE undersigned, Superintendent of the Water Works, having received positive instructions to allow no arrears of water rent to accrue, gives notice that he will be under the necessity of forcing payment in *every instance* in which payment is not made on demand.

D. SUTHERLAND, *Supt. W. W.*

Nov. 30, 1840. 26-3m

TO THE AFFLICTED.

Hadlock's Vegetable Powder and Sirup,

For Diseases of the Lungs, Liver Complaints, Dyspepsia, Coughs, Colds, &c.

The operation of this Medicine is particularly mild and safe. It promotes a gentle and healthy perspiration, and checks morbid and pernicious sweatings, relieves chronic affections and congestion of the lungs, assuages cough, promotes a free and mild expectoration, removes pain from the chest, relieves asthmatic or difficult respiration, corrects obstinate costiveness, and leaves the bowels in a regular and healthy state. Those painful symptoms which indicate diseased lungs readily yield to this certain remedy, when seasonably resorted to, and it restores the patient to the bodily vigor and that wasting disorder, the consumption, it effects in its natural operation, so surely destroys.

☞ For sale by the Proprietor, on Hillsborough street, and at the Store of James H. Hooper.

The Proprietor has received the following testimony from the Rev. Simeon Colton, a gentleman well known:—

TO THE PUBLIC.

Mr. James Hadlock has for some time been in the practice of preparing vegetable powder and sirup for diseases of the lungs, coughs, colds, &c. which have been extensively used in and about Fayetteville, N. C., as well as in other places, by people who have suffered under those and similar complaints. They have acquired a high reputation, and are considered by many as superior to any other medicine for the above-named diseases. And I have reason to believe, from my own experience, and from the effects of the medicine, as used in my family, that it is invaluable, while its operation is mild and safe. It is recommended to all who may be laboring under the complaints named, to give it a thorough trial, and is confidently believed that there will be no disappointment in the result.

SIMEON COLTON,
Principal of the Donaldson Academy.

Fayetteville, Feb. 18, 1839. 95tf

The "Deobstruent Pills"

ARE confidently offered to the public from the patient's knowledge of their efficacy as experienced by himself and many others. It is a well established fact that obstructions of the Liver, Spleen, Biliary Ducts, &c. form the basis of most of the complaints with which we are afflicted, such as Dyspepsia, Headache, Heart-burn, Indigestion, and irregular state of the Bowels. These diseases, neglected, even so slightly destroy the strongest constitutions, and cannot be counteracted but by means that are truly effective. Removing obstructions, giving a healthy movement to the secretions, and tone to the system throughout are some of the benefits to be derived from these pills. They are offered for sale by the subscriber, with such directions accompanying each box. They are prepared by him as the composition of an eminent Physician, who has successfully studied and treated the complaints in both Hemispheres.

JOHN H. PEARCE, *Agent.*

Fayetteville, Feb. 3, 1840. 89tf

Certificate of Rev. A. B. McGilvary, of the South Carolina Conference.

I certify, that for three years past I have frequently taken "the Deobstruent Pills," and unhesitatingly pronounce them the best medicine for biliary attacks that I ever have used. I have also in many cases frequently administered them to others, and in no instance without a sensible and speedy relief. I fully recommend them to the afflicted.

ALEX'R B. McGILVARY.

PETERS' VEGETABLE PILLS

ARE daily effecting some of the most WONDERFUL AND ASTONISHING CURES that have ever been known, in consequence of which they have now become a shining mark, against which the arrows of disappointed hope, envy and slanderousness, are levelled without distinction. Town and country are alike filled with them. The palace and poor-house alike echo with their virtues. In all climates, under all temperatures, they still retain their wonderful powers, and exert them unintended by age or situation. They are simple in their preparation, mild in their action, thorough in their operation, and unrivalled in their results.

PETERS' VEGETABLE PILLS are a Bilious, Anti-Dyspeptic, and Anti-Mercurial, and may be justly considered a *Universal Remedy*, as they are peculiarly beneficial in the following complaints: Yellow and Bilious Fevers, Fever and Ague, Dyspepsia, Croup, Liver Complaints, Sick Headache, Jaundice, Asthma, Dropsy, Rheumatism, Enlargement of the Spleen, Piles, Cholic, Bowel Obstructions, Heart-burn, Furred Tongue, Nausea, Distension of the Stomach and Bowels, Dysentery, Diarrhœa, Flatulence, Habitual Costiveness, Loss of Appetite, Blotched or Sallow Complexions, and in all cases of Torpor of the Bowels, where a cathartic or an aperient is needed. They are extremely mild in their operation, producing neither nausea, griping, nor debility.

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